

M.L / LL.M

Degree Examination

May - 2016

Question papers

Register no.

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M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted during 2011)

First Year – First Semester

BRANCH I – BUSINESS LAW

COURSE: CORPORATE GOVERNANCE AND CORPORATE FINANCE	COURSE CODE:	BUL211CO3
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Time: Three hours

Maximum: 60 marks

PART A – (5 x 8 = 40 marks)

Answer all the questions

All questions carry equal marks

1. (a) Trace the evolution and history of companies in English and Indian Law.
(or)
(b) Examine why corporate structure is preferred over other modalities of doing business.
2. (a) “Dematerialization of securities helps overcome problems as well as reduces the transaction time as compared to the physical segment” - Discuss the problems involved, remedial measures and the safety quotient of investors.
(or)
(b) Explain the pre-requisites for public offering of securities.
3. (a) “Ensuring that CSR supports and does not undermine the development of small and medium-sized enterprises in developing countries is crucial to meeting the goal of improving the impact of business on society” - Analyse.
(or)
(b) Expound the Doctrine of ultra vires and the consequences of such agreements.
4. (a) Enumerate the key features of the Kumaramangalam Birla Committee’s report on corporate governance.
(or)
(b) The OECD principles are a living instrument offering non-binding standards and good practices as well as guidance on implementation, which can be adapted to the specific circumstances of individual countries and regions - Decide.

(P.T.O.)

5. (a) Make a comparison between corporate governance practices adopted in United Kingdom and United States of America.

(or)

(b) "The German Corporate Governance Code aims at making the German Corporate governance system transparent and understandable. Its purpose is to promote the trust of international and national investors, customers, employees and the general public in the management and supervision of listed German Stock Corporations" – Expound the salient features of the German Corporate Governance Code.

PART B – (4 x 5 = 20 marks)

6. Write short notes on FOUR of the following:

- (a) Constitutional perspectives relating to Corporate Governance and Finance.
- (b) Global Depository Receipts
- (c) NCLT
- (d) Rights issue of shares.
- (e) Debenture redemption reserve
- (f) Audit.

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ML 295

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – First Semester

BRANCH I – BUSINESS LAW

COURSE : CORPORATE GOVERNANCE	CODE :	BUL212O01/ BUL213O01/ BUL214O01/ BUL215O01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Trace the history of Corporate law.
Or
(b) Enumerate and explain the Constitutional Perspective Pertaining to Corporate Governance.
2. (a) Explicate the concept of depository receipts with particular reference to FCCB and ADR.
Or
(b) What are the pre-requisites and disclosures to be made in a public issue of securities?
3. (a) Define the term 'Promoter'. Discuss the nature and scope of a promoters duty towards the company once incorporated.
Or
(b) Expand the doctrine of constructive notice and indoor management with the aid of relevant case laws.

[P.T.O.]

4. (a) Make a comparative study between Limited Liability Partnership firm and a Company.

Or

- (b) State the procedure to be adopted for dissolution of a partnership.

5. (a) Discuss the corporate governance practice followed in Germany.

Or

- (b) Compare the corporate governance mechanism implemented in India with that in Europe.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Perpetual succession
 - (b) Call on Shares
 - (c) Floating charge
 - (d) Reconstruction of a Company
 - (e) Number of partners in a LLP
 - (f) Registrar of Companies.
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ML 310

LL.M./M.L. DEGREE (SEMESTER) EXAMINATION, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – First Semester

BRANCH I – BUSINESS LAW

COURSE : INTERNATIONAL COMMERCIAL ARBITRATION (ELECTIVE)	CODE :	BUL212E01/ BUL213E01/ BUL214E01/ BUL215E01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Analyze the operation of arbitration in mauritius.

Or

- (b) Discuss in detail the provisions of interim measures by court and arbitral tribunal under Arbitration and Conciliation Act, 1996.

2. (a) Define an arbitration agreement. Draft two arbitration clauses (one-domestic and another-international)

Or

- (b) What shall be the content of an arbitral award? Whether costs forms of an award?

3. (a) What shall be the procedure in arbitration? And discuss the provisions relating to it from ACA Act, 1996.

Or

- (b) Can an arbitrator be challenged? If yes, what are the grounds and procedure laid down in the Act?

[P.T.O.]

4. (a) List out five items/procedures which can be agreed by the parties in arbitration. Further discuss the role of arbitral tribunal in deriving the procedure.

Or

- (b) Discuss in detail the affect of insolvency and limitation issues in arbitration.
5. (a) What are the powers provided to courts under Section 8 and 27 under the Act, 1996? Whether it is intervention (or) facilitation?

Or

- (b) Name out the best Arbitration Institutions and explain them with their model clauses?

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Venue in arbitration.
- / (b) Definition – International Commercial Arbitration.
- (c) Sec. 16 of the Act, 1996
- (d) Role of experts in Arbitration.
- / (e) Advantages of Institutional Arbitration.
- (f) Provisions on substitution of an arbitrator.

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ML 296

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – First Semester

BRANCH II — CONSTITUTIONAL LAW AND HUMAN RIGHTS

COURSE – CENTRE-STATE RELATIONS IN INDIA	CODE :	CHR212001/ CHR213001/ CHR214001/ CHR215001
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Critically comment on the distinct features of the Indian Constitution. Do you consider those features as sufficient indices for recognising it as a federal constitution?

Or

- (b) Among the various federation, what makes the Canadian federation distinct from the other federation? Discuss in the light of the centralization and decentralization concepts.
2. (a) The residuary powers are the legislative powers that fall in none of the three lists under the Constitution. The lists are usually exhaustive enough to include all possible subjects and it is generally believed that the field of application will be very narrow. These power are neither under the legislative power of the State nor the Union, but is under the jurisdiction of the judiciary. Critically examine the residuary powers of the judiciary in the light of the above statement.

Or

- (b) Enumerate the circumstances in which the Union Parliament can make law in respect of a State subject.

[P.T.O.]

3. (a) Explain the scope of Article 356 in the light of the recommendations of the Sarkaria Commission on Centre State relation in India.

Or

- (b) Discuss the constitutional provision relating to resolution of inter-state water disputes.

4. (a) The Automobile transport case has considerably reduced the taxing power of the states. Critically examine the taxing powers of the states in the light of the above judgement of the Supreme Court.

Or

- (b) Discuss the areas of stress and strain in the distribution of federal financial relation in the Indian Constitution and suggest the ways and means to overcome such difficulties.

5. (a) "The method of dividing power so that the general and regional governments are each within a sphere co-ordinate and independent". Discuss the statement.

Or

- (b) Elaborate in detail the role, functions and duties of Planning Commission.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) National Development Council
 - (b) Full faith and credit clause
 - (c) Borrowing power of Union and States
 - (d) All India Service
 - (e) Doctrine of pith and substance
 - (f) Federation and confederation.
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ML 311

LL.M/M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – First Semester

BRANCH II — CONSTITUTIONAL LAW AND HUMAN RIGHTS

COURSE : CONSTITUTIONAL PROTECTION OF HUMAN RIGHTS (ELECTIVE)	CODE :	CHR212E01/ CHR213E01/ CHR214E01/ CHR215E01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) What are 'human rights'? Trace the origin and development of human rights.

Or

- (b) Discuss the classification of human rights based on various principle elements which are emphasized in the theory of human rights.

2. (a) The Directive Principles of State Policy in our Constitution speaks elaborately on the human rights – Explain.

Or

- (b) What are Civil and Political rights? Where these rights are guaranteed under the Indian Constitution?

3. (a) State the salient features of the Right to Information Act, 2005.

Or

- (b) "Every official from the Prime Minister down to constable or a collector of taxes is under the same responsibility for every act done without legal justification as any other citizen" – Dicey – Critically examine the above statement under the provisions of the Indian Constitution.

[P.T.O.]

4. (a) 'Right to live in pollution free environment is a fundamental right' – Elucidate.

Or

- (b) 'Those who oppose to the growing judicial activism of the higher courts do not realise that it has proved a boon for the common men'. Discuss the above statement with the help of decided cases.
5. (a) Explain the composition, powers and functions of the National Human Rights Commission.

Or

- (b) Discuss the constitutional protection of women under the Indian Constitution.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :
- (a) Preventive Detention
 - (b) SHRC
 - (c) Elimination of corruption
 - (d) Preamble
 - (e) Right to development
 - (f) 3rd Generation Human Rights.

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ML 297

LL.M/M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – First Semester

BRANCH III – INTELLECTUAL PROPERTY LAW

COURSE : GENERAL PRINCIPLES OF INTELLECTUAL PROPERTY	CODE :	IPL212001/ IPL213001/ IPL214001/ IPL215001
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) "Intellectual property is intangible in nature" – Explain.

Or

- (b) Discuss, how does intellectual property enrich market activities in a country.
2. (a) Enumerate the guiding principles of Berne Convention.

Or

- (b) Describe the interface between TRIPS Agreement and CBD.
3. (a) Explain the utilization theory in respect of justifying intellectual property protection.

Or

- (b) "Intellectual property creates, protects and promotes the industry" – Describe.

[P.T.O.]

4. (a) Enumerate the salient features of Indian Trade Mark Act 1999.

Or

(b) Explain the concept of Transfer of Technology in the context of TRIPS Agreements.

5. (a) "Copyright is a human right" – Describe.

Or

(b) Discuss the concept of 'NATCO vs Bayer' in the context of public interest in India.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

(a) Right of priority

(b) Non-Disclosure Agreement

(c) National Treatment

(d) Moral rights

(e) Novelty vs originality

(f) Patent law Treaty.

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ML 298

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice based credit system)

(For the candidates admitted from 2012-2015 onwards)

First Year – First Semester

BRANCH IV — INTERNATIONAL LAW AND ORGANISATION

COURSE : PUBLIC INTERNATIONAL LAW	CODE :	ILO212O01/ ILO213O01/ ILO214O01/ ILO215O01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) 'Foundation of International Law lies in the concept of sovereignty and nation state' — Explain the statement as to the basis of obligation under International Law.

Or

- (b) 'Sources of International Law comes from different dimensions as it is difficult to determine law in International Legal Order' — Analyse the statement.

2. (a) 'Harmonising International Law and Municipal Law has become the order of present day international relations' — Examine the statement by discussing various theoretical perspectives.

Or

- (b) "By gone are the days where state is considered as a subject of International Law and now it necessitates inclusion of further" — Discuss.

[P.T.O.]

3. (a) 'Grave omissions involve International responsibility of the State to make reparation' — Critically evaluate state responsibility in different fields.

Or

- (b) "State jurisdiction in International Law goes with more theoretical perspectives" — Explain with case laws.
4. (a) "The study about law of sea is an ocean" — Explain the law relating to Continental Shelf.

Or

- (b) 'In the modern period treaties have been the first and foremost source of International Law' — Explain the provisions of Vienna Convention on law of Treaties related to reservation.
5. (a) In the aftermath of league, United Nations Organisation has played the role of World Organisation in maintaining peace — Critically evaluate.

Or

- (b) Explain with case laws various jurisdictions of the World Court.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :
- (a) Self determination.
 - (b) Arantzazu mendi case.
 - (c) Corfu channel case.
 - (d) Theories to Succession.
 - (e) Island of palamas arbitration.
 - (f) Rule of double criminality.

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ML 312

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – First Semester

BRANCH IV — INTERNATIONAL LAW AND ORGANISATION

COURSE : INTERNATIONAL CRIMINAL COURT (ELECTIVE)	CODE :	ILO212E01/ ILO213E01/ ILO214E01/ ILO215E01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Explain the numerous methods adopted by the international community for the prosecutions of war crimes since World War II. Explain how this led the development of the Rome Statute.

Or

- (b) Why did the international community feel the need to codify international criminal wrongs and how did this endeavor finally lead establishment of the ICC.
2. (a) Discuss Reparation to Victims as established under the ICC Statute and explain the principle of “restorative justice”.

Or

- (b) Write a note on the principles of procedural and substantive international criminal law which were subsequently adopted and expanded under the Rome Statute.

[P.T.O.]

3. (a) The Eichmann case is of special interest to the study of development of international criminal law post World War II. Explain why and discuss the principles that emerged from the case.

Or

- (b) Discuss in detail the International Criminal Tribunal for former Yugoslavia and its role in development of international criminal law.
4. (a) What constitutes War Crimes? Discuss war crimes with relevance to the Military Tribunals set up at various instances by the international community as well as war crimes according to the international Criminal Court Statute.

Or

- (b) The war crimes in Rwanda shocked the world community and led to the establishment of the International Criminal Tribunal for Rwanda. With reference to cases explain the expansion of the term "war crimes" by the Tribunal.
5. (a) What is Genocide? How is Genocide defined in the ICC statute and what constitutes the offence? Refer to case laws to explain.

Or

- (b) What are the fundamental principles of international criminal law established by the Nuremberg Trials? Discuss the development of international criminal law since World War II.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) The Geneva protocols.
(b) Witness Protection.
(c) Pinochet case.
(d) Rape as war crime.
(e) Jean Kambanda.
(f) ICC and Gender.
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ML 299

LL.M/ M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted during 2012, 2013, 2014 and 2015)

First Year – First Semester

Branch V – ENVIRONMENTAL LAW AND LEGAL ORDER

COURSE : INTERNATIONAL ENVIRONMENTAL LAW	CODE :	ELO212O01/ ELO213O01/ ELO214O01/ ELO215O01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Evaluate the contributions of World Heritage Convention 1972 for the protection and conservation of cultural and natural environment of the world.

Or

- (b) Define 'Global Warming' and examine the impact of Global Warming.
2. (a) Examine the role of Global Environmental Facility (GEF) in financing world environmental protection projects.

Or

- (b) "State have a sovereign right to exploit their own resources pursuant to their own environmental polices and the responsibility to ensure that activities with in their jurisdiction or control, but do not cause to the environment of other states or of areas beyond the limits of national jurisdiction". – Comment.

[P.T.O.]

3. (a) Explain the types of marine pollution and examine the international legal measures for prevention and control marine pollution.

Or

- (b) "The 1959 Antarctic treaty was not primarily intended to establish rule of environmental protection nevertheless a number of its provisions contribute incidentally for the protection of environment in the region" – discuss.

4. (a) Explain the effects of acid rain on environment and ecological phenomena and discuss the preventive measures.

Or

- (b) Critically examine the concept of transboundary pollution by air and discuss the global instruments to prevent and control transboundary pollution effects.

5. (a) Discuss the principles of liability and control mechanisms to protect and compensate the victims of environmental harm.

Or

- (b) "The developments in the field of Bio-technology by M.N.C's are causing adverse effects on the conservation and sustainable use of biodiversity taking also into account risks to human health". Discuss.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Agenda – 21
 - (b) Poverty alleviation
 - (c) Marine living resources
 - (d) Chemical pollution
 - (e) Space pollution
 - (f) Dumping of hazardous wastes.
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ML 313

M.L./LL.M. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – First Semester

BRANCH V – ENVIRONMENTAL LAW AND LEGAL ORDER

COURSE : ENVIRONMENTAL LAWS AND LOCAL SELF GOVERNMENT (ELECTIVE)	CODE :	ELO212E01/ ELO213E01/ ELO214E01/ ELO215E01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

- 1. (a) Explain the provisions in the Indian Penal Code concerning the protection of environment.

Or

- (b) Discuss the constitutional framework for the protection of environment.

- 2. (a) Discuss the powers of the Central Government to issue directions to any officer of any authority to act upon to safeguard the components of the environment.

Or

- (b) Evaluate the role of Judiciary in interpreting the provisions of Environment (protection) Act 1986.

[P.T.O.]

3. (a) Explain the permissible and non-permissible activities in coastal areas and discuss the role of Judiciary in the Coastal Zone Management.

Or

- (b) Critically analyse the classification of zones and examine the legal measures for safeguarding the coastal zones.

4. (a) Define hazardous waste and discuss the procedure of handling and disposal of hazardous waste.

Or

- (b) Define Eco-Mark and discuss the importance of Eco-Mark.

5. (a) Discuss the role of Panchayat Raj institutions for prevention and control of Environmental pollution.

Or

- (b) Describe the importance and necessity of Environmental Education for Rural communities and examine the environmental aspects in the Education policy of India.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Tort law and environment
- (b) Acquaculture in coastal zones
- (c) Environmental disasters
- (d) Environmental Impact Assessment
- (e) Right to Livelyhood Vs environment.
- (f) Citizens obligation.

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ML 300

M.L./LL.M. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit system)

(For the candidates admitted from 2012 to 2015)

First Year – First Semester

**BRANCH VI — CRIMINAL LAW AND CRIMINAL JUSTICE
ADMINISTRATION**

COURSE : CRIMINAL JUSTICE SYSTEM IN INDIA	CODE : CLA212001/ CLA213001 CLA214001/ CLA215001
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Discuss the following types of crime
- (i) Organised crime
 - (ii) White collar crime
 - (iii) Hate crime

Or

- (b) "Criminology is the scientific procedure to examine social and individual deviances" – Analyse.

2. (a) Critically examine the factors related to crime causation.

Or

- (b) Examine the following theories
- (i) Anomie and strain theory;
 - (ii) Differential Association theory;
 - (iii) Social disorganization theory.

[P.T.O.]

3. (a) Critically analyse the administration of criminal justice system in India.

Or

- (b) Principle of proportionality between crime and punishment is a principle of 'just desert' – Critically examine.

4. (a) Examine the judicial perspective on sentencing policy in India:

Or

- (b) Who is called a police officer? Discuss the powers and function of the police officer in the criminal justice system.

5. (a) "The idea of prisoner's reform is inclusive approach towards criminal justice system" – Analyse.

Or

- (b) Discuss the classification of prisoners' and method of rehabilitation of prisoners'.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following.

- (a) Criminology and criminal behaviour
 - (b) Sociological school
 - (c) Crime control mechanism
 - (d) Theories of punishment
 - (e) Prison system in India
 - (f) Human rights perspective on Defence Counsel.
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ML 301

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – First Semester

BRANCH VII – HUMAN RIGHTS AND DUTIES EDUCATION

COURSE : HUMAN RIGHTS AND INTERNATIONAL ORDER	CODE :	HDE212O01/ HDE213O01/ HDE214O01/ HDE215O01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All the questions carry equal marks.

1. (a) Explain the role of UNESCO and UNICEF in enhancing human right principles globally.

Or

- (b) Enumerate the importance of International Human Rights Instruments.
2. (a) Explain the role of NGO in protecting child rights.

Or

- (b) European Convention on Human Rights – Discuss.
3. (a) “The Role of Indian Judiciary acts as a saviour of Human Rights” – Justify.

Or

- (b) Explain the similarities and differences between Fundamental Rights and Directive Principles of State Policy.

[P.T.O.]

4. (a) "ICCPR-Vs-ICESCR" -- Discuss.

Or

(b) Explain how Amnesty International in par with U.N. Agency protects and preserve human rights.

5. (a) How ICJ and ICC embrace the International Human Rights instruments?

Or

(b) Discuss the regional conventions which enhances Human Rights Principles.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

(a) CEDAW.

(b) Conventions against Torture.

(c) NHRC.

(d) Human Rights Vs Humanitarian Law.

(e) African charter

(f) Vishaka case.

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ML 302

LL.M/M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – First Semester

BRANCH VIII – LABOUR LAW AND ADMINISTRATIVE LAW

COURSE : INDUSTRIAL RELATIONS LAW	CODE :	LAL212O01/ LAL213O01/ LAL214O01/ LAL215O01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) "Poor industrial relations are the result of a number of socio-economic, political and psychological factors"— Discuss.

Or

- (b) Critically analyse the different judicial formulation of the concept of 'Industry with special reference to Industrial Disputes Act, 1947.

2. (a) "Collective bargaining is the ultimate in negotiation and is possible only when workers and employers organisation are equally strong. mature and conscious of their rights and duties". Analyse the importance of the said concept with reference to the promotion of industrial relations.

Or

- (b) Make a comparative overview of preference of voluntary settlement over adjudicatory process in UK, USA, and India in the process of maintaining Industrial peace.

[P.T.O.]

3. (a) Analyse the judicial review of the process of control over lay-off and Retrenchment in an Industry as a method of promoting good Industrial relations.

Or

- (b) Evaluate the rights of the employees, in cases of 'closure' and 'transfer of undertaking' with special reference to UK and India.
4. (a) Critically analyse the role played by the Government in reference of Industrial disputes to the adjudicating authorities in India in comparison to that of U.K.

Or

- (b) Discuss the different kinds of remedy available to the parties in case of judicial review of the Adjudicatory process in India.
5. (a) Discuss the procedure involved in the process of Domestic enquiry with reference to Misconducts in the Industrial employment in India.

Or

- (b) Analyse the determination of terms and conditions of Labour and its bases with reference to a certified standing orders.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :
- (a) Dicipinary Action
 - (b) Tri partite Agreement
 - (c) Judicial Intervention
 - (d) National disputes
 - (e) Industrial Relation and Constitution
 - (f) Equity.

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ML 303

LL.M. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2015)

First Year – First Semester

BRANCH IX — TAXATION LAW

COURSE : GENERAL PRINCIPLES OF TAXATION	CODE :	TXL215001
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Explain various kinds of taxation by narrating the important basis for classifying them.

Or

(b) Explain VAT, FBT and MAT. Discuss the necessity of levying tax by such systems to curtail tax avoidance.
2. (a) Discuss whether the concept of federalism has been applied in the financial relation between the Union and States under the Indian Constitution.

Or

(b) Discuss the important provisions under the Indian Constitution restricting the State to levy Sales Tax.
3. (a) Explain Double Taxation. How the following are applied in Double Taxation Avoidance Agreements.
 - (i) Source jurisdiction
 - (ii) Origin principle
 - (iii) Status jurisdiction
 - (iv) Destination principle.

Or

(b) Narrate the relationship between tax liability, tax base and tax bender.

[P.T.O.]

4. (a) Explain tax incentives. Discuss the advantage of various types of tax incentives available under the tax laws.

Or

- (b) Discuss the various types of assessment under various tax laws.
5. (a) Discuss the applicability of the Doctrine of Instrumentalism while interpreting tax laws.

Or

- (b) How far beneficial construction helps interpreting tax laws – Discuss with decided cases.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Octroi.
(b) Art 243Z.
(c) Ship money.
(d) Buoyancy in taxation.
(e) Tax avoidance.
(f) Finance Bill.
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ML 286

LLM./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted during 2012, 2013, 2014 and 2015)

First Year – First Semester

COURSE – LEGAL EDUCATION AND RESEARCH METHODOLOGY (Common to all branches)	CODE :	BUL/CHR/IPL/ILO/ ELO/CLA/HDE/LAL/ TXL/212C01/213C01 214C01/215C01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Critically evaluate the role of the Bar Council of India in regulating legal education in India.

Or

- (b) Examine the objectives of legal education in India.

2. (a) Discuss the various methods of teaching law subjects.

Or

- (b) State the significance of clinical legal education in contemporary India.

3. (a) What do you understand by legal research? How is the research problem identified?

Or

- (b) Explain the characteristics of a good hypothesis.

[P.T.O.]

4. (a) Discuss the techniques of data collection.

Or

(b) Analyse the factors responsible for the success of interview method.

5. (a) State the guidelines for preparation of research report.

Or

(b) Comment on "Legal analysis of data".

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

(a) Law Reform

(b) Content analysis

(c) Theory

(d) Exploratory research

(e) Pilot study

(f) Scientific method.

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Register No.

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ML 308

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidate admitted from 2012 to 2015)

First Year – First Semester

COURSE : INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES (Common to all branches)	CODE :	BUL/CHR/IPL/ ILO/ELO/CLA/ HDE/LAL/TXL/ 212C02/213C02/ 214C02/215C02
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Examine the pardoning power of the President of India.
Or
(b) Critically examine the contemporary developments in the matter of appointment of judges to the higher judiciary.
2. (a) Explain the various types of judicial interpretations and practices.
Or
(b) Examine the distribution of revenue relations between the Centre and the states.
3. (a) What is 'Good Governance'? Comment on the principles of Good Governance.
Or
(b) Critically examine the Governments tortious liability.

[P.T.O.]

4. (a) Examine the problems of the non-implementation of union law by the Union and the States.

Or

- (b) Explain about the human rights protection available under the Indian Constitution.
5. (a) How is the Union Territory administered? Examine with special reference to 'New Delhi'?

Or

- (b) Examine the changes made by the Constitution to 73rd and 74th Amendment Acts to Panchayath and Municipalities.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Secularism
 - (b) Latimer House Principles
 - (c) Complete justice
 - (d) Party system in India
 - (e) Corrupt free governance.
 - (f) Boundary disputes.
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Register No.

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ML 314

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice based Credit System)

(For the candidates admitted during 2012, 2013, 2014 and 2015)

First Year – First Semester

COURSE : SOFT SKILLS – I (Common to all branches)	CODE :	COM212S01/ COM213S01/ COM214S01/ COM215S01
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Time : Three hours

Maximum : 100 marks

Answer FORTY questions.

Each question carries 2½ marks

(40 × 2½ = 100 marks)

1. Define soft skills.
2. Explain listening skills.
3. Why are soft skills important?
4. What are motivational skills?
5. How can one develop soft skills?
6. Discuss the major components of corporate skills.
7. What skills constitute life skills?
8. Explain patience as a skill.
9. Bring out two differentiating aspects between soft skills and hard skills.

[P.T.O.]

10. Is it possible to project soft skills in a resume.
11. "Communication is Collaboration, not Competitive". Explain.
12. What are the three steps in communication process?
13. Discuss 'Story telling' as an effective form of verbal communication.
14. What is the basis of communication?
15. Give two suggestions of improving the quality of verbal communications.
16. Compare verbal communication and written communication.
17. Give few examples of written communication.
18. While receiving messages, what external factors act as barrier normally?
19. Bring forth the importance of non-verbal communication.
20. How do gestures help one to communicate?
21. From the voice of the speaker what can be understood?
22. Give examples of sounds that convey understanding.
23. What is needed for successful non-verbal communication?
24. How to improve non-verbal communication skills?
25. Discuss the drawbacks of non-verbal communication?
26. Explain proxemics.
27. What is polychronic time?
28. What is kinesics?
29. Explain speech related gestures.
30. What is Oculesics?
31. Explain Vocalics.
32. Is there a variation in the ability of people to send and receive non-verbal communication?
33. Are women better than men in their ability to communicate?

34. Why are listening skills important?
 35. What is active listening?
 36. Discuss the qualities of empathy.
 37. What are the main barriers to listening?
 38. Explain non-verbal cues.
 39. What is inter-personal communication?
 40. "All communication is influenced by the context in which it takes place"
— Discuss.
 41. What are considered as channels in communication?
 42. Explain group dynamics.
 43. What is role conflict?
 44. Explain emotional intelligence.
 45. State few strategies for managing group conflicts.
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Register No.

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ML 318

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH I – BUSINESS LAW

COURSE : BANKING LAW	CODE :	BUL212O02/ BUL213O02/ BUL214O02/ BUL215O02
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Explain the different kinds of banks and also state their vital functions.

Or

- (b) State the advantages and disadvantages of Bank Nationalisation.

2. (a) Discuss the various ways in which the Government regulate the Banking services in India.

Or

- (b) Analyse the various rights and duties of a banker and customer in their contractual relationship.

3. (a) Explain the salient features of the Deposit Insurance Corporation Act, 1961.

Or

- (b) State the importance of RBI in regulating the monetary mechanism of the Indian economy.

[P.T.O.]

4. (a) Explain the powers, function and duties of Debt Recovery Tribunal.

Or

(b) Analyse the importance of Section 138 of the Negotiable Instruments Act by stating the recent cases.

5. (a) Discuss the various types of technological development in the Banking sector in India.

Or

(b) Analyse the need for regulatory mechanism of ATM's in Indian Banking sector.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

(a) Credit policy

(b) Consumer protection in banking sector

(c) Cash Reserve Ratio

(d) Non Banking Financial company

(e) Holder in due course

(f) Electronic cheques.

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ML 333**LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH I — BUSINESS LAW

COURSE : COMPETITION LAW	CODE :	BUL212003/ BUL213003/ BUL214003/ BUL215003/
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) "The MRTP Act was enacted to contain the concentration of economic power and was not the right mechanism suited to deal with issues relating to the preservation and protection of competition, especially in the new business environment" – Elucidate with special reference to the evolution of Competition Law in India.

Or

- (b) "One of the major reasons for the failure of the MRTP Act to achieve its original purpose was the frequent shifts in government's industrial policy and the new industrial policy in 1991" – Examine.
2. (a) Discuss the rules for determining the effect of any anti-competitive conduct or practice on the relevant market with decided cases.

Or

- (b) "The dominant position of an enterprise is a question of fact to be determined in each case, taking into consideration a number of relevant factors" – Explain this statement with the help of decided cases.

[P.T.O.]

3. (a) Explain the salient features of the Sherman Act.

Or

(b) Describe the origin and objectives of Anti Trust Laws.

4. (a) Explain the provisions of cartels under the treaty on functions of European Union.

Or

(b) Examine the provisions of Mergers and Acquisitions in the European Union with the help of decided cases.

5. (a) "The owner of any other IPR, cannot in the exercise of those rights, directly or indirectly interfere with the competitive process" - Explain this statement with decided cases.

Or

(b) Competition provisions in the WTO are needed to facilitate market access and could ultimately replace other trade remedies for unfair trade practices such as dumping. *Discuss.*

PART B -- (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

(a) Relevant market

(b) Bid Rigging

(c) Factors to evaluate a combination

(d) Joint ventures

(e) Refusal to deal

(f) Enterprise.

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ML 319

LL.M./ML. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH II – CONSTITUTIONAL LAW AND HUMAN RIGHTS

COURSE : COMPARATIVE CONSTITUTIONAL LAW	CODE :	CHR212002/ CHR213002/ CHR214002/ CHR215002
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) What is federalism? Explain various theories of federalism.

Or

(b) What is Constitutionalism? Examine the features of Constitutionalism.

2. (a) Explain the concept of 'Rule of law' at international level.

Or

(b) Critically examine the judicial functions of the President of India and America.

3. (a) Analyse various circumstances under which centre can exercise control over States in India in comparison with American system.

Or

(b) Critically examine federal control over state administrative functions in India and in USA.

[P.T.O.]

4. (a) Examine the development of concept of judicial review in India and compare the position with American system.

Or

- (b) Explain the role of Supreme Court of USA in making the weak centre as strong with suitable examples.
5. (a) Critically analyse the Constitutional provisions relating to National emergency and compare the same with that of USA and Germany.

Or

- (b) "1975 Emergency is a blot on Indian democracy" – Analyse.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Features of federal Constitution
 - (b) Doctrine of Repugnancy
 - (c) Relationship between President and Prime Minister of India
 - (d) Non – Obstante clause
 - (e) Financial emergency
 - (f) Judicial review in Germany.
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ML 334

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH II – CONSTITUTIONAL LAW AND HUMAN RIGHTS

COURSE : MEDIA AND THE LAW	CODE :	CHR212O03/ CHR213O03/ CHR214O03/ CHR215O03
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

Each question carries 8 marks.

1. (a) What is meant by Mass Media? Give a brief account of ownership patterns of Print media in India.

Or

- (b) Critically examine the impact of visual media on the minds of the people.

2. (a) Explain the 'freedom of press' guaranteed under the Constitution of India.

Or

- (b) Explain the extent to which the Government can exercise its regulatory power relating to press.

3. (a) Explain the nature and scope of censorship under Cinematograph Act.

Or

- (b) Critically discuss the applicability of law of defamation to media.

[P.T.O.]

4. (a) Examine the extent to which the Government has control over electronic media. Refer the decisions relating to Doordarshan.

Or

- (b) Elucidate the price and page schedule regulation to assure the accessibility to the general public in relating to press media.
5. (a) Given a brief account of the nature of freedom of press given by the Constitution. What is the scope of imposing restriction on this freedom?

Or

- (b) Critically evaluate the impact of contempt of court on freedom of press. Give your answer with the help of decided cases.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) K.A. Abbas V. Union of India
- (b) Hicklin test
- (c) Supreme Court approach on air waves and frequencies
- (d) Chanda Committee Report
- (e) Government power to impose tax on Television industry
- (f) Obscenity in films.

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ML 349

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH II – CONSTITUTIONAL LAW AND HUMAN RIGHTS

COURSE : RIGHT TO INFORMATION – LAW AND POLICY (ELECTIVE)	CODE :	CHR212E02/ CHR213E02/ CHR214E02/ CHR215E02
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Discuss the origin and development of Right to information in India.

Or

- (b) Define the term 'information' as defined under Right to Information Act, 2005.

2. (a) Briefly describe the safe guards available for the Whistleblowers as embodied under the Whistleblowers Act.

Or

- (b) Distinguish between Competent Authority and Public Authority as envisaged in the Protection of Whistleblowers Act.

3. (a) Right to information is a fundamental right – Comment.

Or

- (b) Right to privacy is an integral part of Right to life – Do you agree? Discuss.

[P.T.O.]

4. (a) Discuss the efficacy of information delivery mechanism as embodied in Right to Information Act, 2005.

Or

- (b) Write a note on powers and functions of Central Information Commission.

5. (a) Briefly describe the contribution made by the Supreme Court of India in promoting RTI.

Or

- (b) Describe the role of NGO's in promoting RTI.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following

- (a) Third party information
- (b) Information exempted under RTI
- (c) Doctrine of severability
- (d) Public records
- (e) Doctrine of pith and substance
- (f) Mandatory disclosure.

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Register No.

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ML 320

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH III – INTELLECTUAL PROPERTY LAW

COURSE : COPYRIGHT LAW	CODE :	IPL212002/ IPL213002/ IPL214002/ IPL215002
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) What is meant by Copyright? Explain the subject matter of Copyright under the Copyright Act.

Or

- (b) Trace out the historical developments of Copyright in India.
2. (a) Who is the first owner of Copyright? Explain the judicial trend in this regard.

Or

- (b) Explain the 'infringement of copyright' under the Copyright Act, 1957.
3. (a) With the help of decided cases, examine the doctrine of 'contract for hire' as understood with respect to the copyright works.

Or

- (b) Critically examine the right of copyright owner to reproduction and communication of copyright work to the public.

[P.T.O.]

4. (a) Discuss the civil remedies available in case of infringement of copyright.

Or

- (b) Examine the scope, nature and functions of collective societies.

5. (a) Explain the implication of WCT on Indian Copyright law.

Or

- (b) Critically examine the legal validity of contractual restriction on reverse engineering.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Doctrine of sweat of Brow
- (b) Compulsory license
- (c) Fair use
- (d) Object code and source code
- (e) Broadcasting Reproduction Right
- (f) Administrative remedies.

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ML 335

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH III – INTELLECTUAL PROPERTY LAW

COURSE : PATENT LAW	CODE :	IPL212O03/ IPL213O03/ IPL214O03/ IPL215O03/
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) "TRIPS" agreement is an 'eye - opener' to India in respect of patent protection" - Discuss.

Or

- (b) "In patent system commercial exploitation is mandatory" - critically examine.
2. (a) "In case of obtaining patent protection the burden of proof always lies upon the inventor" - Discuss the reasons.

Or

- (b) Discuss the new dimension of the concept "invention" with reference to judicial interpretations.

[P.T.O.]

3. (a) Compulsory licence is a tool to ensure public interest - Discuss the present day development of compulsory licence in India.

Or

- (b) Discuss the significance of complete specification in the patent prosecution.

4. (a) Explain the doctrine of equivalents with the help of decided cases.

Or

- (b) Enumerate the remedies available in case of infringement of patent.

5. (a) Examine the role of plant variety protection law in preventing biopiracy in India.

Or

- (b) Explain the concept of "benefit sharing" with the help of international arrangements.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Technology transfer.
- (b) Patent on life forms.
- (c) National treatment.
- (d) Patent Co-operation Treaty.
- (e) Non-patentable inventions.
- (f) Anticipation.

ML 321**LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH IV – INTERNATIONAL LAW AND ORGANISATION

COURSE : LAW OF THE SEA	CODE :	ILO212002/ ILO213002/ ILO214002/ ILO215002
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) 'Law of the Sea has undergone tremendous changes than any other branch of international law' – Comment.

Or

- (b) The Law of the Sea includes both formal and material sources so as to cope up with the pace of development it met with – Discuss.

2. (a) Discuss the evolutionary process involved in the codification of the law of sea and how it fructified as a wholesome Convention?

Or

- (b) The scope of jurisdictional zones under national jurisdiction is to be determined on the basis of distance from the coast – Explain in detail the rules governing baselines.

3. (a) Explain the law relating to internal waters and the jurisdiction of the coastal state over foreign vessels in internal waters.

Or

- (b) "The right to innocent passage is based on the freedom of navigation to accomplish freedom of trade" – Discuss the legal provisions regulating the concept.

[P.T.O.]

4. (a) Define EEZ. What are the freedoms that States can enjoy in EEZ?

Or

(b) Discuss the evolutionary process involved in the development of the concept of Continental Shelf and sovereign rights of the coastal State over the Continental Shelf.

5. (a) Define 'Area'. Critically evaluate its legal status and exploitation of its resources.

Or

(b) Examine the principal features of the Dispute Settlement procedures of the Law of Sea Convention and the role played by ITLOS on settlement of disputes.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Mare liberum
- (b) Contiguous Zone
- (c) International straits
- (d) Low tide elevations
- (e) Ships in distress
- (f) Piracy.

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ML 336**LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH IV – INTERNATIONAL LAW AND ORGANISATION

COURSE : INTERNATIONAL HUMANITARIAN AND REFUGEE LAW	CODE :	ILO212003/ ILO213003/ ILO214003/ ILO215003
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) "The composite arrangement of traditional and modern laws on the conduct of hostilities is established by the institutional effect of Common Article 3" – Discuss .

Or

- (b) "Every systematic violation of human rights and its continuance in international life, invites the operative understanding of General International Law, International Human Rights Law, International Law on Refugee's, International Humanitarian Law and that of International Criminal Law – Analyse.

2. (a) "The definition of 'Refugee' formalised by the AALCO and that of the African Union regime represents the widest approach, in terms of promoting the remedial measures" – Examine.

Or

- (b) "The composite modern challenge's of humanitarian and refugee laws, indicate the necessity to humanize jus gentium as such" – Discuss.

[P.T.O.]

3. (a) "The ICRC acts as the custodian of the human rights law on armed conflict, in effect the humanitarian spirit" – Evaluate.

Or

- (b) "Modern human rights law on armed conflict has attracted severe criticism, majorly due to its ineffective approach in protecting the rights of the Internally Displaced Persons and that of the refugees" – Comment.

4. (a) "The corpus juris of the ICJ, in the 'Nicaragua', 'Legality of threat or use of Nuclear Weapons' and that of the 'Wall Opinion' reflect the answers to the unresolved questions of Human Rights Law and that of Humanitarian Law" – Evaluate.

Or

- (b) "The International AdHoc Criminal tribunals have immensely contributed to the Jurisprudence on International Crimes" – Explain.

5. (a) "The individual victims right to reparation against the grave violations of human right and of international humanitarian Law, is indeed a form of realisation of justice – Judge Antonio Augusto Cancado Trindade" – Examine.

Or

- (b) "Contemporary legal philosophy on the schools of jus ad bellum and jus in bello focalise on the foundational aspects' of the prohibition of threat or use of force and that of the Rights of the Victims" – Discuss.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Armed Force's Special Powers Act and India's International Obligations.
- (b) Right to self-determination and Refugees.
- (c) Case Concerning the Armed Activities on the Territory of the Congo (Congo Vs. Uganda) ICJ, 2005.
- (d) Draft Article's on the effects of Armed Conflicts on Treaties.
- (e) Principle of Humanity and Ahmadou Sadio Diallo Case.
- (f) Contribution of Prof. B.S. Chimni on Refugee Law.

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ML 322

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year -- Second Semester

BRANCH V — ENVIRONMENTAL LAW AND LEGAL ORDER

COURSE : ENVIRONMENTAL POLLUTION – LAW AND POLICY	CODE :	ELO212002/ ELO213002/ ELO214002/ ELO215002
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Explain the sources and effects of water pollution along with the procedures and penalties as in Water Act, 1974.

Or

- (b) Briefly discuss Air pollution.

2. (a) Explain the measures taken in curbing Noise pollution.

Or

- (b) Discuss in detail the various types of environmental pollution and their effects.

3. (a) Evaluate the powers and functions of the Boards to prevent Water pollution in the country.

Or

- (b) Bhure Lal Committee has submitted its report on Air pollution caused by vehicular traffic concerned to air contaminants and the health of the citizens in the National Capital Region. Trace out the various decisions in support of the statement as interpreted by the Judiciary.

[P.T.O.]

4. (a) Explain the procedure for Re-cycling, processing or reuse of Hazardous waste.

Or

- (b) Discuss 'Chemical Accidents' as in Chemical Accidents Rules 1996.

5. (a) Brief out Bio-Medical Waste Management.

Or

- (b) Discuss the salient features and the procedure followed in Management of Municipal solid waste.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Radio – active waste
- (b) Central water laboratory
- (c) Industrial waste
- (d) Procedure for Registration and Renewal of Registration of Re-cyclers
- (e) Insecticides and Pesticides
- (f) Difficulty in implementing Noise pollution control laws.

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ML 337

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH V — ENVIRONMENTAL LAW AND LEGAL ORDER

COURSE – NATURAL RESOURCES MANAGEMENT–LAW AND POLICY	CODE :	ELO212003/ ELO213003/ ELO214003/ ELO215003
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL questions.

All questions carry equal marks.

1. (a) Discuss the problems relating to water resource and suggest the methods for conservation for water resources.

Or

- (b) Analyse the theories of sharing of water and discuss the mechanisms for settlement of water disputes in India.

2. (a) Explain the concept of land resource and examine the legal controls on the land development.

Or

- (b) Discuss the impact of mining and quarrying on land resources.

3. (a) Discuss the significance 'wetlands' and explain the salient features of Ramsar Convention on Wetlands.

Or

- (b) Explain the revolution that are taking place for the forest management in India.

[P.T.O.]

4. (a) Discuss energy related environmental problems by utilisation of conventional energy resources.

Or

- (b) Define non-conventional energy resources and evaluate the use of non-conventional energy in the developing countries.

5. (a) Examine the concept of 'Air Resources' and discuss the legal measures for use of air for communication and technology.

Or

- (b) Define marine living resources and legal efforts for conservation of marine living resources.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Ground water conservation
- (b) Ecofriendly land use plans
- (c) Wild life
- (d) Nuclear energy
- (e) Marine non-living resources
- (f) Historical monuments.

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ML 323

LL.M/M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH VI — CRIMINAL LAW AND CRIMINAL JUSTICE ADMINISTRATION

COURSE : JUVENILE JUSTICE – LAW AND POLICY	CODE :	CLA212O02/ CLA213O02/ CLA214O02/ CLA215O02
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Who is called juvenile in conflict with law and explain the procedure held in Juvenile Justice Board.

Or

(b) Suggest the remedy in respect of escaped juvenile from the homes.
2. (a) Narrate the provisions relating to child in need of care and protection.

Or

(b) Justify the sentencing principles on juvenile delinquency.
3. (a) The implication of Convention on Child Rights, 1992, on the juvenile justice law and policy in India – Analyse.

Or

(b) State the various competent authorities and their powers on the juvenile justice system.

[P.T.O.]

4. (a) Examine the judicial implication on the determination of age of juvenile.

Or

- (b) Critically analyse the juvenile justice in India.

5. (a) Examine the preventive strategies on the juvenile delinquency and its instigating factors in India.

Or

- (b) Explain the procedure of adoption of a child under the Juvenile Justice Act, 2000.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Children home
 - (b) Role of the probation officer
 - (c) Inquiry
 - (d) Rehabilitation and social integration
 - (e) Appeal
 - (f) Restoration.
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Register No.

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ML 323

LL.M/M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH VI — CRIMINAL LAW AND CRIMINAL JUSTICE
ADMINISTRATION

COURSE : JUVENILE JUSTICE – LAW AND POLICY	CODE :	CLA212O02/ CLA213O02/ CLA214O02/ CLA215O02
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Time : Three hours.

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Who is called juvenile in conflict with law and explain the procedure held in Juvenile Justice Board.

Or

- (b) Suggest the remedy in respect of escaped juvenile from the homes.
2. (a) Narrate the provisions relating to child in need of care and protection.

Or

- (b) Justify the sentencing principles on juvenile delinquency.
3. (a) The implication of Convention on Child Rights, 1992, on the juvenile justice law and policy in India – Analyse.

Or

- (b) State the various competent authorities and their powers on the juvenile justice system.

[P.T.O.]

4. (a) Examine the judicial implication on the determination of age of juvenile.

Or

- (b) Critically analyse the juvenile justice in India.

5. (a) Examine the preventive strategies on the juvenile delinquency and its instigating factors in India.

Or

- (b) Explain the procedure of adoption of a child under the Juvenile Justice Act, 2000.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Children home
 - (b) Role of the probation officer
 - (c) Inquiry
 - (d) Rehabilitation and social integration
 - (e) Appeal
 - (f) Restoration.
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ML 350

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH VI – CRIMINAL LAW AND CRIMINAL JUSTICE
ADMINISTRATION

COURSE : CYBER CRIMES (Elective)	CODE :	CLA212E01/ CLA213E01/ CLA214E0/ CLA215E01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Sketch the origin and development of the laws related to Information Technology in India.

Or

- (b) Discuss the various adjudicating bodies to redress the issues relating to cyber criminals.

2. (a) Discuss the reliability and admissibility of Digital Evidence.

Or

- (b) Explain briefly the different types of Cyber crimes.

3. (a) How cyber crimes threaten the nations sovereignty and integrity? Discuss.

Or

- (b) Discuss about the infringement of intellectual property in cyber space.

[P.T.O.]

4. (a) Explain the merits and de-merits of Electronic Commerce.

Or

(b) Cyber crime in a Blue-collar crime or White collar crime? – Justify with reasons.

5. (a) "Cyber forensics" – Trace out the evolution and challenges in contemporary issues.

Or

(b) How the conventional crimes takes place in cyber space?

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

(a) Cyber terrorism.

(b) Digital signature.

(c) Web defacement.

(d) Computer Sabotage.

(e) Ethical hacking.

(f) Internet – Vs-www.

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ML 351

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year — Second Semester

Branch VII — HUMAN RIGHTS AND DUTIES EDUCATION

COURSE : INTERNATIONAL ENFORCEMENT OF HUMAN RIGHTS (Elective)	CODE :	HDE212E01/ HDE213E01/ HDE214E01/ HDE215E01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Discuss the role of 'customs' to develop treaty mechanisms under international human rights law.
Or
(b) Evaluate the sources relevant to protect individual rights under International Law.
2. (a) Write an essay on "Human Rights in Africa".
Or
(b) Trace the development of enforcement mechanisms for European human rights law.
3. (a) Examine the UN monitoring mechanisms as to human rights treaties.
Or
(b) Critically examine humanitarian interventions.

[P.T.O.]

4. (a) Trace the development of humanitarian law in Asia and Europe.

Or

(b) Discuss the nature and content of humanitarian law. Critically evaluate the role of multilateral treaties to protect victims of war.

5. (a) Examine the role NGOs to protect and promote human rights.

Or

(b) Critically evaluate the functioning of NGOs in relation to their funding and affiliations.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

(a) Genocide.

(b) Prisoners of War.

(c) Apartheid.

(d) Human Rights in America.

(e) Human Rights Committee.

(f) Human Rights in South Asia.

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Register No.

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ML 324

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit system)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH VII — HUMAN RIGHTS AND DUTIES EDUCATION

COURSE :	CHILD AND THE LAW	CODE :	HDE212O02/ HDE213O02 HDE214O02 HDE215O02
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL questions.

All questions carry equal marks.

1. (a) "The Convention on the Rights of the Child, 1989 is a set of international standards and measures intended to protect and promote the well being of children in society" – Discuss with special reference to Part I of the Convention

Or

- (b) The exceptional vulnerability of children to exploitation gained international attention and led to the passing of various instruments to protect the rights of children – Explain.
2. (a) The Constitution makers, reflecting their anxiety to protect and safeguard the interest and welfare of the children – Discuss with reference to provisions of the Indian Constitution which are to their advantages and which give them the extra protection they need.

Or

- (b) Discuss the powers and functions of the National Commission for Protection of Child Rights.

[P.T.O.]

3. (a) Explain the provisions of the Factories Act and the Mines Act relating to the protection of child workers.

Or

- (b) Child trafficking, Forced prostitution and Child abuse are the real and sad facts of life and society – Elucidate.
4. (a) Discuss the scheme and salient features of the Juvenile Justice Care and Protection of Children Act, 2000.

Or

- (b) Describe the present position of child marriage after the Prohibition of Child Marriage Act came into effect.
5. (a) “The paramount consideration for giving a child in adoption is for the welfare of the child” – Elucidate with special reference to Inter – Country Adoption.

Or

- (b) Discuss the provisions relating to the property rights of unborn children under various personal laws.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following:

- (a) UNESCO
(b) ILO
(c) Minimum Age Conventions
(d) Female infanticide
(e) Neglected Children
(f) Guardianship
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ML 339

LL.M/M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH VII — HUMAN RIGHTS AND DUTIES EDUCATION

COURSE : CRIMINAL JUSTICE SYSTEM AND HUMAN RIGHTS	CODE :	HDE212O03, HDE213O03, HDE214O03/ HDE215O03
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) "To be guilty of Criminal offence, it is necessary to show the elements of crime" -critically analyse the statement.

Or

- (b) Criminological approach developed the concept of crime and criminal responsibility- Elucidate.

2. (a) Trace the link between Human Rights law and Criminal Justice in the context of understanding of victimological perspectives.

Or

- (b) Critically examine the laws relating to women against sexual violence in India.

3. (a) Evaluate the role of High Courts in matters relating to Criminal Law. How do they protect Human Rights in India.

Or

- (b) Briefly discuss the role of SHRC to protect Human Rights.

[P.T.O.]

4. (a) Define Sentence. Examine the major component of aggravating and mitigating factors in the sentencing pattern in India.

Or

- (b) Trace out the significance of Criminal Law Amendments, 2013.

5. (a) Constitution of India is considered to be the guardian of human rights for both victims and accused. Offer your considered view.

Or

- (b) Examine the concept of compensation to victims of crime under Indian legal system.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Concept of Fair trial
- (b) Human Rights perspectives of Crime
- (c) Article 20 of the Indian Constitution
- (d) Delayed Execution of Death Sentence
- (e) Dowry Death
- (f) Protective Homes.

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Register No.

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ML 325

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH VIII — LABOUR LAW AND ADMINISTRATIVE LAW

COURSE : TRADE UNIONISM AND COLLECTIVE BARGAINING	CODE :	LAL212002/ LAL213002/ LAL214002/ LAL215002
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Analyse the concept of outsiders in trade union with reference to the decision making on trade union policies and finances in India.

Or

- (b) Define "Trade Union" and evaluate the extent of immunity enjoyed by the office bearers and the members of registered trade unions in civil and criminal liability under Trade Union Act of 1926.
2. (a) "Collective bargaining being a successful method in the west for the maintenance of industrial relations but not so suitable and successful in India" – Discuss.

Or

- (b) Analyse the different factors that can effect a successful collective bargaining process in India and suggest the techniques to make it effective in India by comparing its position in US and UK.

[P.T.O.]

3. (a) Explain the need for workers participation in management with reference to its objectives and areas of participation for the promotion of industrial democracy.

Or

- (b) Identify the extent to which the institution of Joint Management Councils, can effectively promote industrial democracy.
4. (a) Discuss the growth of trade union movement in UK and India in the context of political affiliations and its legal limitations.

Or

- (b) "American labour is prepared to take advantage of political action for achieving its objectives, it still lays primary emphasis on economic action to achieve its objectives". Discuss with reference to politics in American Trade Unions.
5. (a) Define 'forced labour' and discuss the impact of different conventions and recommendations of ILO on forced labour in controlling the negation of free labour.

Or

- (b) Examine the structure of ILO having tripartite character which provide flexibility in the implementation of international labour standards.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Works committees
(b) Migrant workers
(c) Recognition of trade union
(d) ILO
(e) Trade union funds
(f) Trade union ~~recognition~~ rivalry
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ML 340

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH VIII — LABOUR LAW AND ADMINISTRATIVE LAW

COURSE : SOCIAL SECURITY LAW	CODE :	LAL212O03/ LAL213O03/ LAL214O03/ LAL215O03
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Examine the recommendations of the Second National Commission on Labour relating to Social security in India.
Or
(b) Discuss the influence of Directive Principles of State Policy in the interpretation and application of social security measures.
2. (a) Explain the scope of the expression "arising out of and in the course of employment" under the Employees' Compensation Act, 1923.
Or
(b) Discuss the scheme for adjudication of disputes and claims under the Employees' State Insurance Act, 1948.
3. (a) Critically examine the provisions regulating the employment of women and young persons under the Factories Act, 1948.
Or
(b) Explain the maternity benefits provided under the Maternity Benefit Act, 1961. Compare the provisions of this Act with the Employee's State Insurance Act, 1948.

[P.T.O.]

4. (a) Critically evaluate the scheme for payment of gratuity under the payment of Gratuity Act, 1972 and state the procedure for recovery of gratuity.

Or

- (b) Discuss the constitution, composition, powers and functions of the Board of Trustees under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.
5. (a) State the minimum standards of social security prescribed by the ILO under the convention No. 102 of 1952 and its impact on Indian Social Security Legislations.

Or

- (b) Discuss the social security measures provided in USA.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Social assistance
- (b) Occupational diseases
- (c) Sickness benefit
- (d) Manufacturing process
- (e) Employee's Provident Funds Appellate Tribunal
- (f) Social security system in UK.

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ML 352

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

BRANCH VIII — LABOUR LAW AND ADMINISTRATIVE LAW

COURSE — WAGE DETERMINATION LAWS AND OTHER BENEFITS (Elective)	CODE :	LAL212E01/ LAL213E01/ LAL214E01/ LAL215E01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) "Wages are the source as well as the key to the solution of most of the labour problems" – Discuss.

Or

- (b) Analyse the role of Supreme Court in evolving scientific and rational wage structure in India.

2. (a) Discuss the procedure for determination of wages in UK.

Or

- (b) Explain the difficulties involved in evolving wage policy for a developing country.

3. (a) Analyse the concept of wage differentials and bring out the causes for wage differentials in the organised and unorganised sectors.

Or

- (b) Outline the recommendations of National Commission on Labour relating to the issues affecting wage policy.

[P.T.O.]

4. (a) "The Constitution of India has given a place of pride and that is the basis of Law guiding principles of social welfare and common good" – Discuss this statement with regard to the Constitutional provisions relating of wages in India.

Or

- (b) Examine the Constitutional validity of the Minimum Wages Act, 1948 and analyse the nature of function of government in wage fixation under the Act.
5. (a) Critically evaluate 'marginal productivity' theory of wages and explain its modified version in the determination of wages.

Or

- (b) "All deductions which are not authorised under the Payment of Wages Act, 1936 must not be deducted, whatever may be the nature of deduction" – Discuss.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :
- (a) Recovery of bonus due from the employer
 - (b) Need based minimum wage
 - (c) National Wage Policy
 - (d) Wage Board
 - (e) Principles for fixation of dearness allowance
 - (f) 'Wage' under Payment of Wages Act.
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Register No.

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ML 359**LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(Choice Based Credit System)

(For the candidates admitted during 2015)

First Year – Second Semester

BRANCH IX – TAXATION LAW

COURSE : DIRECT TAX LAWS	CODE :	TXL215002
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Discuss the salient feature of Income Tax Act, 1961.

Or

- (b) Distinguish between capital receipt and revenue receipt. Examine its importance under the Income Tax Act, 1961.
2. (a) Explain how are the following treated under sec (10) of the Income Tax Act, 1961. Give relevant provisions of law
- Interest to non – residents.
 - Remuneration received by a foreign diplomat.
 - Interest on securities.
 - Income of local authority.
 - Income of educational Institutions.

Or

- (b) Explain in details the circumstances provided under the Income Tax Act, 1961 where income is deemed to arise in India.

[P.T.O.]

3. (a) Analyse the significance of perquisite as income from salary. Also narrate the valuation of perquisites.

Or

- (b) Explain the various deductions permitted under the Income from the head business.

4. (a) Give detailed account of various methods of Set - off under the Income Tax Act, 1961.

Or

- (b) Give a detailed account of regular assessment under the Income Tax Act, 1961.

5. (a) Narrate the powers and functions of the Income Tax Authorities under the Income Tax Act, 1961 for collection of revenue.

Or

- (b) Give an account, of the rate of Income Tax fixed for various heads of income under the Finance Act, 2016. Give the standard deductions available under different heads. Also give deductions available under sec 80 C, 80 D and 80 G of the I.T. Act, 1961.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Tax on Property
 - (b) Previous year
 - (c) MAT
 - (d) Capital asset
 - (e) Settlement of cases
 - (f) Search.
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Register No.

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ML 360

40

LL.M. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted during 2015)

First Year – Second Semester

BRANCH IX — TAXATION LAWS

COURSE : INDIRECT TAX LAWS	CODE :	TXL215003
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Analyze the salient features of indirect tax with reference to legislative history and policies of the Union.

Or

- (b) Explain the Constitutional history of taxation of goods and taxation of services.

2. (a) Explain the paradigm shift in Customs Act, 1962 from deemed value and transaction value.

Or

- (b) Discuss the procedure relating to import & export of goods under the Customs Act, 1962.

3. (a) Discuss the paradigm shift from MODVAT to CENVAT with reference to Cenvat Credit Rules, 2004.

Or

- (b) Explain the concept of 'unjust enrichment' with reference to Sec.11B of Central Excise Act, 1944.

[P.T.O.]

4. (a) Distinguish 'abatement' and 'exemption' on taxable services with reference to Finance Act, 1994.

Or

- (b) Explain the concept of 'service' and 'declared service' under Finance Act, 1994. Elucidate the exempted services under the Act.

5. (a) Distinguish 'input' and 'capital goods' with reference to provisions under TNVAT Act, 2006.

Or

- (b) What is 'works contract'? Explain the salient provisions relating to works contract under TNVAT Act, 2006.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Export of services
- (b) Levy of Indirect tax
- (c) Types of Customs Duties
- (d) Exempted Goods & Exempted Services
- (e) Import & Export Sale under CST Act
- (f) VAT and Input Tax Credit.

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Register No.

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ML 315

LL.M./M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2015)

First Year – Second Semester

COURSE : JUDICIAL PROCESS (Common to all branches)	CODE :	BUL/CHR/IPL/ ILO/ELO/CLA/ HDE/LAL/TXL 212C03/213C03/ 214C03/215C03
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Explain the concept of 'Rule of law' and its significance in the constitutional scheme.
Or
(b) Explain the doctrine of separation of powers along with its checks and balances.
2. (a) Discuss legislative law-making and judicial law-making power of the higher judiciary.
Or
(b) Explain the interpretative approach of the Supreme Court of India in the matter of constitutional provisions.
3. (a) Critically analyse the recent issues evolved in the appointment of judges to the higher judiciary.
Or
(b) How far ICT is helpful in the court management and major recommendations of the Law Commission of India in reducing the burden of the court?

[P.T.O.]

15. How has technology assisted public orators?
16. Was oratory important to law in the Roman empire?
17. Who are considered as public speakers?
18. What points have to be included while organizing a speech?
19. Discuss the elements of assertive behaviour.
20. What are the barriers to assertiveness?
21. What is the Bill of assertive rights?
22. Are children more assertive than adults? If so, why?
23. How does one develop an assertive body image?
24. 'An active and assertive posture conveys assertiveness' – Discuss.
25. Is our voice a vital element in our communication?
26. How does anxiety affect our assertiveness?
27. Give some suggestions to relax.
28. Discuss the techniques of assertiveness.
29. How gestures help us in communication?
30. Define aggressive behaviour.
31. Why it is important to be assertive?
32. How does our self esteem affect our behaviour?
33. What is the outcome of non-assertive behaviour?
34. Compare empathy and sympathy.
35. Define compassion.
36. Can too much of empathy, hurt us?
37. Define negotiation.
38. Name the different types of professional negotiations.
39. How important is strategy in negotiation?
40. How to improve negotiation skills?

41. How can one differentiate a 'Master Negotiator' from a 'Novice Negotiator'?
 42. What is the process in the pre-bargaining phase of negotiation?
 43. Lawyers as negotiators. – Comment.
 44. What are the characteristics of a skillful negotiator?
 45. How critical is communication in negotiations?
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44
Register No.

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ML 341

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

BRANCH I – BUSINESS LAW

COURSE : LEGAL REGULATION OF ECONOMIC ENTERPRISES	CODE :	BUL212O05/ BUL213O05/ BUL214O05
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Explain the importance of Industrial policy resolutions in the development of Industries in India.
Or
(b) Analyse the legislative developments in regulating industries in the post privatization era.
2. (a) Discuss the Powers, Functions and duties of the Competition Commission of India.
Or
(b) State the regulatory process for small scale sectors in India.
3. (a) Explain the changing profile of public sector enterprises in India.
Or
(b) State the salient features of Insurance Regulatory and Development Authority Act, 1999.

[P.T.O.]

4. (a) Explain the various capital market reforms in India and state the various regulatory issues.

Or

- (b) Discuss the role of various development financial institutions and also analyse the regulations.

5. (a) Explain the various issues in 'technology transfer agreements' in International trade.

Or

- (b) State the various regulations for investment in India.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Merchant banking.
- (b) Specialised financial institution.
- (c) World Trade Organisation.
- (d) Joint venture agreement
- (e) Multi National Companies
- (f) BIFR.

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Register No.

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ML 353**M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

BRANCH I – BUSINESS LAW

COURSE : LAW RELATING TO FOREIGN TRADE (ELECTIVE)	CODE :	BUL212E02/ BUL213E02/ BUL214E02
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) "The establishment of the World Trade Organisation was the culmination of international efforts over the past five decades to establish a truly international trade organisation which would cater to the growing needs of international economic community" – Explain this statement with special reference to the development of WTO from GATT.
Or
(b) Examine the control by state over foreign trade in India.
2. (a) Discuss the powers of RBI in controlling foreign trade.
Or
(b) Explain the procedure for the determination of dumping under Art. VI of GATT 1994.
3. (a) Examine the role of Special Economic Zones in promoting exports.
Or
(b) Describe the promotional measures undertaken in India to increase exports.

[P.T.O.]

4. (a) Explain the various measures which the Govt. of India has taken in the field of agricultural marketing.

Or

- (b) Discuss the regulatory measures for joint venture in India.

5. (a) Describe the salient features of COFEPOSA.

Or

- (b) Define money laundering and explain how money laundering is controlled in India.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) ADR and GDR.
 - (b) Control of smuggling under Customs Act.
 - (c) Bio Technology Parks.
 - (d) Quarantine regulations.
 - (e) Transfer of technology.
 - (f) Service sector in India.
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Register No.

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ML 327

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

BRANCH II — CONSTITUTIONAL LAW AND HUMAN RIGHTS

COURSE : NATIONAL SECURITY, PUBLIC ORDER AND RULE OF LAW	CODE :	CHR212004/ CHR213004/ CHR214004
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Time : Three hours

Maximum : 60 marks.

PART A — (5 × 8 = 40 marks)

Answer ALL questions.

All questions carry equal marks.

1. (a) Is subjective satisfaction of the executive authority subject to judicial scrutiny? Explain with relevant case laws.

Or

- (b) Discuss the civil liberties and emergency detention procedures in England.
2. (a) Explain the significance of Article 22 of the Indian Constitution.

Or

- (b) Delineate the emergency provisions in the Indian Constitution and bring out its impact on the Civil liberties.
3. (a) Economic offences form a separate category of criminal offences — Critically analyse.

Or

- (b) "Public Order" is a term of art, and refers to the maintenance of public peace and tranquility that is one level beyond simply maintaining "Law and Order"- Supreme Court — Comment.

[P.T.O.]

4. (a) "Art 21 of the Indian constitution is sole repository of life and liberty" - Explain with special reference to Habeas Corpus case.

Or

- (b) Critically evaluate the role of judiciary in interpreting the term 'security of the state'.

5. (a) Explain the true scope and effect of Art 359 of the Indian constitution with special reference to rule laid down in Makhan Singh's case.

Or

- (b) Examine the importance of 59th Amendment Act and its effect on emergency power in India.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

(a) NSA.

(b) NHRC on TADA.

(c) Advisory Board powers.

(d) Test of reasonableness of a restriction imposed on freedom guaranteed under Art 19.

(e) Law relating to prevention of smuggling and conservation of foreign exchange.

(f) Failure of Constitutional machinery in the state.

Register No. 47

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ML 342

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

BRANCH II — CONSTITUTIONAL LAW AND HUMAN RIGHTS

COURSE: ELECTION LAWS	CODE :	CHR212O05/ CHR213O05/ CHR214O05
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL questions.

All questions carry equal marks.

1. (a) What do you mean by parliamentary democracy? Review the efficacy of the parliamentary democracy in India.

Or

- (b) What do you mean by free, fair and impartial election? Discuss in detail the pre requisites of free, fair and impartial election.

2. (a) What are the effects of money, muscle, official influence on election? Discuss the experience of India.

Or

- (b) What is an election expenses? What are the restrictions relating election expenses of a contesting candidate under Representation of People Act?

[P.T.O.]

3. (a) Discuss the powers and functions of the Election Commission of India. How can the Election Commission be made more effective?

Or

- (b) Evaluate the system of reservation for scheduled castes and scheduled tribes in the parliamentary election in India.
4. (a) Discuss the offences regarding election under Representation of People Act. How can a person become guilty of bribery and undue influence under the Representation of People Act?

Or

- (b) What are the basis for the formation of political parties and write the reason to cancel the registration of political parties?
5. (a) Discuss the appointment and functions of returning officer. Under which ground the returning officer can reject the nomination paper of a candidate.

Or

- (b) Discuss the appointment and functions of presiding officer under Representation of People Act. When the presiding officer of a polling station shall stop the poll?

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following:

- (a) Distinguish single party system and multi party system
(b) P.V. Narashima Rao Vs. CBI & ors.
(c) Delimitation of territorial constituencies
(d) Gerry mandering
(e) Anti defection law
(f) NOTA.

Register No. 40

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ML 328

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year -- Third Semester

Branch III -- INTELLECTUAL PROPERTY LAW

COURSE : LAW RELATING TO INDUSTRIAL DESIGNS	CODE :	IPL212004/ IPL213004/ IPL214004
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Describe the concept and essentials of Industrial design.
Or
(b) Discuss the essential requirement for a design with reference to US, UK and EU approach.
2. (a) What are the requisites for registration of Designs?
Or
(b) Describe the effect of registration and cancellation of Design.
3. (a) Explain the rights granted to 'Design' holder.
Or
(b) Explain fraudulent and obvious imitations.
4. (a) Describe the terms of copyright in design with respect to US, UK and EU treatment.
Or
(b) What is meant by infringement? Discuss the remedies available against infringement of design.

[P.T.O.]

5. (a) Discuss the salient feature of Lay-out and Design Act.

Or

(b) Describe the similarity between the laws relating to Design and Trade Mark Law.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Novelty and Originality
- (b) Certification of Registration
- (c) Integrated Circuit
- (d) Semi-Conductors
- (e) Controller
- (f) Piracy.

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ML 343**M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

BRANCH III — INTELLECTUAL PROPERTY LAW

COURSE : INTELLECTUAL PROPERTY LAW AND INTERNATIONAL PERSPECTIVES	CODE :	IPL212005/ IPL213005/ IPL214005
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) TRIPS Agreement provides only for minimum protection of intellectual property. Elucidate.

Or

- (b) Analyse the role of leading international institution and actors in promoting international intellectual property rights.

2. (a) "Madrid protocol is a supplementary arranged to Madrid agreement" – Explain.

Or

- (b) Explain the concept of well-known Trade Mark. What are the tests for the determination of well-known Trade Mark?

3. (a) Discuss the impact of TRIPS on drugs and pharmaceutical industry in India.

Or

- (b) Discuss the establishment and functions of WTO Dispute Settlement Body.

[P.T.O.]

4. (a) Explain the salient features of WIPO Copyright Treaty, 1996 and state its relevance in protecting online copyright piracy.

Or

- (b) Discuss the limitation on liability of internet service provider under DMCA and EU-E-Commerce Directive.
5. (a) Critically examine the legal and economic aspect of traditional knowledge.

Or

- (b) "Reverse Engineering" - A learning tool of interoperability - Elucidate.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :
- (a) National Treatment and Most Favoured Nation Treatment.
 - (b) Telle quelle principles.
 - (c) Doctrine of Exhaustion.
 - (d) Procedure under dispute settlement understanding.
 - (e) Cyber squatting.
 - (f) Sui generis right - EU Database Directive.
 - (g) Bolar Exception.

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ML 354

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

BRANCH III – INTELLECTUAL PROPERTY LAW

COURSE : INTELLECTUAL PROPERTY RIGHTS LAWS AND HUMAN RIGHTS (Elective)	CODE :	IPL212E01/ IPL213E01/ IPL214E01
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Most of the theoretical writings consist of struggles among and within four jurisprudential approaches of intellectual property law” – Discuss.

Or

- (b) “Human Rights would guide the development of IP Rights. IP rights would be pressed into service on behalf of human rights” – Explain.

2. (a) “The relationship between Traditional Cultural expression and Intellectual Property raises complex and challenging issues” – Evaluate.

Or

- (b) Explain the issues relating protection of traditional knowledge through patent and sui generis principles.

[P.T.O.]

3. (a) Giving relevant case laws, provisions from the treaties and statutes analyse the relation of 'right to food' with Intellectual Property Rights and Human Rights.

Or

- (b) Critically analyse the impact of medical patents with Right to health.

4. (a) Relate Intellectual Property Rights with Art 300 A and VII Schedule of the Constitution of India.

Or

- (b) Explain the various kinds of Trade marks under the Trade Marks Act. Also explain the significance of well known trade marks with decided case laws.

5. (a) Discuss copyright in relation to right to privacy issues.

Or

- (b) Analyse the impact of Performers Rights basing on the WPPT and Copyright Act.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Anti circumvention.
- (b) Geographical indication
- (c) Prior art
- (d) Novartis case
- (e) Benefit sharing
- (f) WIPO.

ML 355**M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

Branch IV – INTERNATIONAL LAW AND ORGANISATION

COURSE : COMPARATIVE LAW (Elective)	CODE :	ILO212E02/ ILO213E02/ ILO214E02
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Define 'Comparative law'. State the nature and origin of comparative law.

Or

- (b) Explain theories of comparative law along with utility and functions of it.

2. (a) "Comparative law as Cinderella of legal systems" – Comment on the statement in the light of modern era.

Or

- (b) Examine the major legal systems in the World.

3. (a) Explain 'harmonization' of different legal systems in the light of Europeanisation and Globalisations.

Or

- (b) Explain the legal sociology and sociology of law.

[P.T.O.]

4. (a) Define 'alien law'. Comment on the decline of native laws.

Or

- (b) Critically examine hybridization of law and legal systems in the world.

5. (a) Discuss the harmonization and unification of various legal systems. Examine the teaching methods and approaches of the comparative legal studies.

Or

- (b) Examine the scope for legal research in the field of comparative law.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Conflict of laws.
 - (b) Socialist systems of law.
 - (c) Functionalism.
 - (d) Hindu legal systems.
 - (e) Comparative law as educational tool.
 - (f) Christian law.
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Register No.

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ML 344

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

Branch IV – INTERNATIONAL LAW AND ORGANISATION

COURSE : AIR AND SPACE LAW	CODE :	ILO212O05/ ILO213O05/ ILO214O05
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) The Chicago Convention 1944 is an comprehensive convention in the history of civil aviation – Comment.

Or

- (b) The multilateral conventions and bilateral agreements holds the key in the development of Civil Aviation – Analyse.

2. (a) Discuss the state obligation to provide air navigation services.

Or

- (b) Critically analyse the aircraft related pollution and environmental problems.

3. (a) The aviation terrorism in a real threat to the global civil aviation.

Or

- (b) Discuss the protection and facility available to the passengers in automation of civil aviation sector.

[P.T.O.]

4. (a) Discuss the concept of liability under international civil aviation.

Or

(b) Discuss the global changing trends by Globalisation and de-regulation in civil aviation.

5. (a) Discuss the International Conventions related to protection of Outer-Space.

Or

(b) Discuss the commercial activities done in the Outer Space by the States.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

(a) Low Cost Carriers.

(b) Hijacking.

(c) Five freedom of air.

(d) Air Traffic Management.

(e) ICAO.

(f) Cabotage.

Register No.

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ML 345**M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

BRANCH V — ENVIRONMENTAL LAW AND LEGAL ORDER

COURSE — URBAN ENVIRONMENTAL LAW	CODE :	ELO212005/ ELO213005/ ELO214005
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Define urban culture and distinguish with rural culture.
Or
(b) Discuss the process and patterns of urbanisation in third world countries.
2. (a) "Improper land use, Irregular town planning and Unsound urban development are the major causes for natural disasters in urban cities" – Comment.
Or
(b) Define Shelter Poverty and explain various schemes adopted by the Central and State governments for the eradication of shelter poverty.
3. (a) Define slum and discuss the features of Slum Areas (Improvement and Clearance) Act, 1956.
Or
(b) Trace out the causes for water pollution in urban areas and explain the relevant provisions for prevention and control of water pollution under Water Act, 1974.

[P.T.O.]

4. (a) Explain the powers and functions of Metropolitan Development Authorities in the expansion and growth of urban cities.

Or

- (b) Discuss the powers and function of Water Boards in the prevention and control of pollution.

5. (a) Evaluate the role of Judiciary in the protection of urban environment.

Or

- (b) Explain the strategies and mechanisms for Safer Environmental Management.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Factors of urbanisation
 - (b) Drainage and Sewerage
 - (c) Urban poverty
 - (d) Urban traffic
 - (e) Town and Country Planning
 - (f) Land acquisition.
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Register No.

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ML 331

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

BRANCH VI – CRIMINAL LAW AND CRIMINAL JUSTICE
ADMINISTRATION

COURSE : COMPARATIVE CRIMINAL PROCEDURE	CODE :	CLA212004/ CLA213004/ CLA214004
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Discuss the hierarchical structure and role of Court of Sessions in India comparing its counterpart in French Criminal Justice System.

Or

- (b) Critically examine the Objective of enabling withdrawal and compounding of Criminal Prosecution in India and the Comparative Scheme in England and U.S.A.

2. (a) Examine the procedure of making an arrest and Questioning of accused in India and the rights that stand assured on them by National and International norms.

Or

- (b) The Right to Counsel is designated as a principle feature of Fair Trial Concept. Critically examine the use and misuse of this right in India.

[P.T.O.]

3. (a) Critically examine the role of a judge in accusatorial and Inquisitorial system of trials to suggest reforms in Indian System.

Or

- (b) Compare the procedure for Plea bargaining in India with U.S.A.

4. (a) Discuss the role of the Court in Correctional Programs in India.

Or

- (b) Critically examine the measures resorted to Correct Offenders through Institutional Means in India comparing the position in U.S.A. and Russia.

5. (a) Examine the role of police in preventing crimes in India.

Or

- (b) Critically examine the effectiveness of the powers given to Executives in India to remove Public Nuisance and to resolve disputes as to Immovable Property.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Grant of Pardon
- (b) Right to Legal aid
- (c) Expert Evidence
- (d) After Care services
- (e) Preventive Detention
- (f) Nyaya Panchayats.

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ML 346

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year — Third Semester

Branch VI — CRIMINAL LAW AND CRIMINAL JUSTICE
ADMINISTRATION

COURSE : COLLECTIVE VIOLENCE AND CRIMINAL JUSTICE SYSTEM	CODE :	CLA212O05/ CLA213O05/ CLA214O05
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Discuss the various forms of collective violence and the factors that contribute to collective violence.

Or

- (b) Under what circumstances collective violence be incited through speech and such publication?

2. (a) "Political power and political violence go together" – Examine and explain the various dimensions of political violence.

Or

- (b) Suggest measures to control terrorist group formation and violent behaviours, improvised through technology.

3. (a) Write a note on the Agrarian violence and bring out the reformative approach towards Agrarian violence.

Or

- (b) Discuss electoral violence and the response of law towards such violence.

[P.T.O.]

4. (a) 'Domestic violence discriminates gender' – examine the collective criminality involved.

Or

- (b) Write a note on the incidence of atrocities against scheduled caste and the use of special legislation to combat such atrocities.
5. (a) Write a note on communal violence with reference to Hindu-Muslim. Elucidate the role of various commissions of enquiry in dealing with communal violence.

Or

- (b) Discuss the role of the police and para-military forces in dealing with communal violence.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :
- (a) Gandhiji's principles of non-violence.
 - (b) Arwal Massacre.
 - (c) Female criminality.
 - (d) Ahimsa in Hindu Tradition.
 - (e) Legal order as a coercive normative order.
 - (f) Transgender.

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Register No.

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ML 347

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

BRANCH VII — HUMAN RIGHTS AND DUTIES EDUCATION

COURSE : TRADE, ENVIRONMENT, DEVELOPMENT AND HUMAN RIGHTS	.CODE :	HDE212005/ HDE213005/ HDE214005
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) What is the relationship between trade and human rights?
Or
(b) Examine the impact of globalisation on environment.
2. (a) Trace the origin and development of WTO.
Or
(b) Critically evaluate the global trade regime established by WTO.
3. (a) What is 'Subsidy'? Examine the impact of GATT on agricultural subsidies.
Or
(b) Evaluate the significance of human rights to protect the interests of Consumers.

[P.T.O.]

4. (a) Write an essay on the "unilateral sanctions imposed by US".

Or

(b) What is the impact of trade on environment? Explain it from Indian perspective.

5. (a) Critically evaluate the role of India on the WTO negotiations.

Or

(b) Examine the principle of 'Sustainable Development' from Indian perspective.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

(a) First generation Human Rights.

(b) Millennium Development Goals.

(c) Vellore citizens welfare forum Vs - Union of India.

(d) Five year plans and environment.

(e) Agenda 21.

(f) Polluter Pays Principle.

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ML 356**M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

Branch VII – HUMAN RIGHTS AND DUTIES EDUCATION

COURSE : REGIONAL AND HUMAN RIGHTS ORGANISATIONS (Elective)	CODE :	HDE212E02/ HDE213E02/ HDE214E02
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Critically analyse the relationship between the Security Council and that of the Regional Arrangements as envisaged under the Charter of United Nations.

Or

- (b) "The seminal achievement of the Regional Organisations has been the notion of institutionalising functionalism in sovereignty" – Discuss.

2. (a) "The European Court of Human Rights has progressively developed the principles of International Human Rights Law" – Examine.

Or

- (b) Trace the work of the Inter-American Court of Human Rights in the context of evolving the Right to Contact the Consular mission.

3. (a) Analyse the efforts taken by the organisation of Islamic co-operation towards resolving the Palestinian conflict.

Or

- (b) Critically analyse the African Union, Report on the "Preventable Genocide in Rwanda".

[P.T.O.]

4. (a) Trace the significance of the Africa Unions Agenda on "Africa 2063".

Or

- (b) "Modern Human Rights movement and its effect in various regional agencies, warrants the establishment of the SAARC Court of Human Rights" – Analyse.

5. (a) Discuss the efforts taken by the international actors in resolving the contemporary European Refugee crisis.

Or

- (b) Analyse the significance of Regional Trade Agreements in the context of promoting economic independence.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Economic Commission for Latin America.
- (b) Orphaned conflicts.
- (c) Bamako Convention.
- (d) South-South Co-operation.
- (e) Soering case.
- (f) European Union directives on the Rights of Differently Abled Persons.

ML 317

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

BRANCH VIII — LABOUR LAW AND ADMINISTRATIVE LAW

COURSE : ADMINISTRATIVE PROCESS AND LIABILITY	CODE :	LAL212O04/ LAL213O04/ LAL214O04/
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Examine the nature and scope of Administrative Law and bring out the difference between Administrative Law and Constitutional Law.
Or
(b) "By far the most important aspect of separation of powers is judicial independence from administrative direction and that is perhaps the only aspect of the doctrine on which all democracies concur" – Discuss.
2. (a) "Parliamentary control over delegated legislation should be a living continuity as a constitutional necessity, but extensive parliamentary control frustrates the basic object of delegating law-making power to the administration to make for economical use of parliamentary time" – Examine this statement by analysing the strategies of parliamentary control over delegated legislation.
Or
(b) Examine the scope and extent of judicial review on administrative discretion.

[P.T.O.]

3. (a) Critically examine the liability of the Government to compensate the injured person on the principle of vicarious liability for the tortious act of its servants.

Or

- (b) "Democracy means a Government of the people, by the people and for the people, it is obvious that every citizen must be entitled to participate in the democratic process. Their effective participation can be ensured only if they have sufficient information with them" – Discuss.

4. (a) "The doctrine of legitimate expectation has been evolved to ensure regularity, predictability and certainty in government dealing with the doctrine of "Public Trust" – Examine.

Or

- (b) Critically examine the scope and operation of promissory estoppel in Administrative law as a control mechanism on the undue exercises of its powers by the administration.

5. (a) "The ombudsman system has now become a well established feature of the British Government in providing a viable method of investigation into complaints against Government departments and of assisting the individual to secure an appropriate remedy" – Explain.

Or

- (b) Discuss the powers and functions of the Central Vigilance Commission. How far this institution is effective in uprooting corruption?

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Rule of law
(b) Droit administratif
(c) Publication of delegated legislation
(d) Contractual liability of the State
(e) Commission of Inquiry
(f) Lokpal and Lokayuktas Act, 2013.

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ML 348

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

BRANCH VIII – LABOUR LAW AND ADMINISTRATIVE LAW

COURSE : LOCAL SELF GOVERNMENT	CODE :	LAL212O05/ LAL213O05/ LAL214O05
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) "Local government contributes to the resilience, strength and richness of democracy" – Discuss this statement with regard to the role and necessity of Local government.

Or

- (b) Analyse the Constitutional Provisions relating to Local Self Government in India.

2. (a) Examine the provisions relating to establishment of public markets and private markets and bring out the powers of Commissioner to exercise control over them under the Chennai City Municipal Corporation Act, 1919.

Or

- (b) Explain the offences relating to elections under the Tamil Nadu Panchayats Act, 1994.

[P.T.O.]

3. (a) Examine the major taxes levied by the urban local governments.

Or

- (b) "Gram Sabha in India has not been a glaring success". Do you agree with this statement – Discuss.

4. (a) "Local government is an instrument of political and popular education" – Discuss this statement with regard to reforms proposed by Lord Ripon to guide local government.

Or

- (b) Examine the powers of state government to exercise control over urban local bodies.

5. (a) Critically evaluate Gram Nyayalayas Act, 2008.

Or

- (b) Explain the provisions relating to public health and safety under the Tamilnadu District Municipalities Act, 1920.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Royal Commission on Decentralisation
- (b) Functions and powers of District Panchayat
- (c) Judicial and Quasi Judicial Powers of Local bodies
- (d) Wards Committee
- (e) Town Planning
- (f) Distinguish between Corporation and Municipal Council.

Register No.

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ML 316

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M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Third Semester

COURSE : LAW AND SOCIAL TRANSFORMATION IN INDIA (Common to all branches)	CODE :	BUL/CHR/IPL/ILO/ ELO/CLA/HDE/LAL/ 212C04/213C04/ 214C04
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Explain the legal strategies for social transformation in India.
Or
(b) What is 'Sarvodaya'? Examine the meaning and significance of Sarvodaya movement.
2. (a) How for 'caste segregation' and 'protective discrimination' are able to bring about social transformation in India?
Or
(b) Explain various kinds of 'culture'. Is India known for cultural pluralism.
3. (a) Give a brief account of crimes against women. What are the steps to be taken for women empowerment.
Or
(b) Critically evaluative on the family law reform in India and its contribution to social transformation.

[P.T.O.]

4. (a) Discuss on 'State' regulation of economic enterprises and economic reforms in India.

Or

(b) Explain briefly about court reforms in India and the role of ADR system.

5. (a) How far 'Globalization' has contributed for Indian social transformation?

Or

(b) Explain the status of 'tribals'. How far their interest is protected under the Indian Constitution?

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

(a) NRHM

(b) Naxalism

(c) Common Law System

(d) Reservation System

(e) Modernization

(f) Right to movement.

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Register no.

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M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted during 2011)

Second Year – Fourth Semester

BRANCH I – BUSINESS LAW

COURSE: INSURANCE LAW.	COURSE CODE:	BUL211E04
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Time: Three hours

Maximum: 60 marks

PART A – (5 x 8 = 40 marks)

Answer all the questions

All questions carry equal marks

1. (a) 'Insurance, is a form of risk management primarily used to hedge against the risk of a contingent, uncertain loss'. – Analyze the nature of Insurance.
(or)
(b) Enumerate and explain the Constitutional perspectives relating to Insurance.
2. (a) Discuss the extent to which Insurance contracts can be said to be aleatory and a wager.
(or)
(b) 'in jure non remota causa sed proxima' – Explain the maxim in relation to risk undertaken in Insurance.
3. (a) Explain the difference between English and Indian Laws in regard to the recovery of Insurance amount in cases of *felo de se*.
(or)
(b) Expound the procedure for settlement of claims in case of Endowment Life Insurance contracts maturing and on the demise of the life insured.
4. (a) Make a comparative study of the salient features of the English and Indian Marine Insurance Acts, 1906 and 1963.
(or)
(b) "The term 'perils of the sea', refers only to fortuitous accidents or casualties of the sea" – Examine this statement bringing out the difference between the terms 'Perils of the sea' and 'Perils on the sea'.

(P.T.O.)

5. (a) Explain the duties of the insured and the rights of the insurer, upon outbreak of fire, with reference to a fire policy.
(or)
(b) Discuss the constitution, powers and functions of the Claims Tribunal pertaining to motor vehicle accidents.

PART B - (4 x 5 = 20 marks)

6. Write short notes on FOUR of the following:

- (a) Goods in Transit Insurance.
- (b) Constructive Total Loss.
- (c) Ascending scale Insurance.
- (d) Modes of payment of Premium.
- (e) History of fire insurance in England.
- (f) Agricultural Insurance.

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ML 287

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Fourth Semester

BRANCH I – BUSINESS LAW

COURSE : INSURANCE LAW	COURSE CODE :	BUL212006/ BUL213006/ BUL214006
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Enumerate and explain the Constitutional perspectives relating to insurance.

Or

- (b) Expound the history of life insurance in England and India.

2. (a) 'In the economic world insurance is sometimes compared to gambling, but in reality they are exactly opposite.' — Critically examine to what extent insurance contracts are wagering agreements.

Or

- (b) Explain the circumstances in which premium can be claimed to be returned in toto and part.

3. (a) Expound the procedure for settlement of claims in regard to life insurance policies.

Or

- (b) State the salient features of the legislations governing life insurance.

[P.T.O.]

4. (a) 'Marine insurance is concerned with international trade, which involves transportation for goods from one country to another.' - Analyze the scope of marine insurance.

Or

- (b) Define the term Maritime perils & differentiate between perils of the sea and perils on the sea. Explain what perils are excluded in marine policies referring to relevant case law.

5. (a) Explain the significance and scope of agricultural insurance.

Or

- (b) Motor Vehicle insurance is an amalgam of many types of insurance. — Analyze.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Re Insurance.
- (b) Application of Doctrine of Uberrima fide to insurance contracts.
- (c) Life Insurance.
- (d) Meaning of the term 'fire' in regard to fire insurance policies.
- (e) Particular average.
- (f) Goods in transit insurance.

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ML 288

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted during 2012, 2013 and 2014)

Second Year – Fourth Semester

BRANCH II – CONSTITUTIONAL LAW AND HUMAN RIGHTS

COURSE – SERVICE LAW	CODE :	CHR212006/ CHR213006/ CHR214006
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Examine the Constitutional provisions connected with Civil Servants.

Or

- (b) Evaluate the Doctrine of opportunity of Being Heard and its exceptions.

2. (a) Examine the civil and criminal immunities for action taken in good faith.

Or

- (b) Analyse conditions of service in respect of private and public sectors.

3. (a) Examine the role of State Public Service Commission in matters connected with recruitment.

Or

- (b) Analyse the role of Union Public Service Commission in matters connected with recruitment.

[P.T.O.]

4. (a) Analyse Indian Legal Service, its conditions and promotions.

Or

(b) Examine the appointments, service condition and promotion of subordinate judicial officers.

5. (a) Examine the various departmental remedies available to the civil servants.

Or

(b) Examine the Judicial Review of Service Matters.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

(a) Compulsory insurance

(b) Dearness Allowances and Bonus

(c) All India Services

(d) Administrative Tribunal

(e) Maternity Benefits

(f) Disciplinary proceedings.

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Register No.

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ML 289

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Fourth Semester

BRANCH III — INTELLECTUAL PROPERTY LAW

COURSE – TRADE MARKS LAW AND GEOGRAPHICAL INDICATIONS	CODE :	IPL212006/ IPL213006/ IPL214006
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) What are the powers vested with the Registrar of Trade Marks?

Or

(b) Discuss the salient features of the Trade Marks Act.

2. (a) Define infringement. Discuss the remedies available to the proprietor of trade marks against infringement.

Or

(b) Distinguish confusion, deception and resemblance.

3. (a) Describe the procedures for the registration of trade marks.

Or

(b) Discuss the historical development of the concept of trade mark.

[P.T.O.]

4. (a) Describe the procedure to be followed in registration of Geographical indication.

Or

- (b) Discuss with the provisions of the Geographical Indications Act, 2000 with regard to protection, renewal, infringement and remedies.

5. (a) What are the rights of registered trade mark owners?

Or

- (b) Discuss the absolute grounds for refusal of trade marks registration.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Collective mark.
- (b) Prior user.
- (c) Passing off
- (d) Authorised user.
- (e) Absolute grounds.
- (f) Opposition.

Register No.

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ML 304**M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Fourth Semester

BRANCH III — INTELLECTUAL PROPERTY LAW

COURSE : INFORMATION TECHNOLOGY AND INTELLECTUAL PROPERTY RIGHTS (ELECTIVE)	CODE :	IPL212E02/ IPL213E02/ IPL214E02
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Give an account of the important elements of computer programme.

Or

- (b) Distinguish between computer program and software.

2. (a) "Not all types of software related innovation can enjoy patent protection" — Explain.

Or

- (b) Discuss the patentability of business method on India and UK.

3. (a) "Adequate legal protection and effective legal remedies must be provided against the circumstances of effective technological measures" — Elucidate.

Or

- (b) "One of the strongest reason is that copy right protection extends only to expressions and not to ideas" — Discuss.

[P.T.O.]

4. (a) Discuss the efficacy of ICANN while resolving the trademark issues in cyberspace.

Or

- (b) Explain the various issues relating to meta tagging.
5. (a) Explain the concept of converging technology. Relate the same with right to information and privacy.

Or

- (b) Explain the legal issues relating to cloud computing.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Triple test
(b) Subject code.
(c) Pop-up advertisement.
(d) WCT.
(e) Reverse engineering.
(f) Cyberspace.
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Register No.

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ML 290

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Fourth Semester

BRANCH IV – INTERNATIONAL LAW AND ORGANISATION

COURSE : PEACEFUL SETTLEMENT OF THE INTERNATIONAL DISPUTES	CODE :	ILO213O06/ ILO212O06/ ILO214O06
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) “The contemporary developments in the international legal system indicate, that the notion of ‘Humanisation of jus gentium’ is the sole solution in terms of resolving the mounting disputes” – Evaluate.

Or

- (b) “The concept of ‘dispute’ and ‘peace’ in the modern times is not only multi-conceptual but also multi-contextual, majorly due to the changing actors in international life” – Examine.
2. (a) Trace the significance of the case law of the Permanent Court of International Justice in the context of the progressive development of jus gentium on Pacific settlement.

Or

- (b) Explain in detail the substantive and procedural aspects of the Permanent Court of Arbitration.

[P.T.O.]

3. (a) Compare the essential ingredients of the principle of peaceful settlement of international disputes as elucidated in the charter of the United Nations and that of the Friendly declaration.

Or

- (b) Examine the significant contribution made by the World Court in terms of Provisional measures, Advisory opinion and Contentious cases, in light of the advancement of friendly relations amongst the international community.

4. (a) Trace the special attributes of the Manila Declaration on the Pacific settlement of international disputes.

Or

- (b) "The contemporary efforts taken by the Asian regional bodies to establish a Human Rights Court, is indeed a major step towards the achievement of peace, security and justice in the region" – Evaluate.

5. (a) Trace the role of UN Secretary General in promoting the Rule of Law.

Or

- (b) Write an essay on the work of the International Ad-Hoc criminal Tribunals in the context of maintenance of international peace and security.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) International Juridical Conscience
- (b) Autonomous principle of good faith
- (c) Uniting for peace resolution
- (d) SAARC
- (e) OAS
- (f) International center for settlement of investment disputes.

Register No.

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ML 291

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted during 2012, 2013 and 2014)

Second Year – Fourth Semester

BRANCH V — ENVIRONMENTAL LAW AND LEGAL ORDER

COURSE : DISASTER MANAGEMENT AND LEGAL ORDER	CODE :	ELO212006/ ELO213006/ ELO214006
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Explain the reasons for accidental disaster and identify the safety and legal measures for prevention and control of accidental disaster.

Or

- (b) Define disaster and discuss high potential and low potential disaster with illustration.

2. (a) "The legal response to protect the rights of disaster victims in India are inadequate" Comment.

Or

- (b) Explain the salient features of Atomic Energy Act 1962 and discuss the principles relating to payment of compensation.

3. (a) Discuss the role of Trade Unions in disaster management.

Or

- (b) Explain the rights of disaster victims.

[P.T.O.]

4. (a) Explain the right to hearing to affected individuals and discuss the procedure which can be followed by the administrative authorities at the disasters.

Or

- (b) Evaluate the post – disaster activities which can be adopted by the Governments to rehabilitate the victim of disasters.
5. (a) “Creation of special courts are necessary to get immediate remedy to the victims of disasters and quick disposal of disaster case”- Comment.

Or

- (b) Trace out the remedies available to the victims of disaster in the existing disaster legislations.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Right to hearing to voluntary organisations.
- (b) Disbursement of relief grants.
- (c) Public liability insurance.
- (d) Representative suit.
- (e) First aid.
- (f) Collapse of structures.

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ML 305

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Fourth Semester

BRANCH V – ENVIRONMENTAL LAW AND LEGAL ORDER

COURSE : CLIMATE CHANGE AND LEGAL ORDER (Elective)	CODE :	ELO212E02/ ELO213E02/ ELO214E02
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Define 'Climate system'. Explain the role and importance in terrestrial and marine ecosystems and the need to address global warming.

Or

- (b) Examine the climate profile of India.
2. (a) Enumerate various greenhouse gases under natural and anthropogenic sources and discuss human influence as a major factor adding to the global warming impact of greenhouse gases.

Or

- (b) Examine the importance of development of 'resilience' towards mitigating climate change impacts.
3. (a) Discuss in detail the problems of Coastal flooding, wetlands and Estuaries loss in India.

Or

- (b) Critically analyse the Carbon Credits Mechanism and it's role of effective emission control.

[P.T.O.]

4. (a) "The relationship between the Climate Change Convention and vital national economic, social and environmental interests was evident from the different interest groups of states which emerged during the negotiation." - Analyse this statement in the light of the commitments under the United Nations Framework Convention on Climate Change 1992.

Or

- (b) "Given the economic and developmental implications, it is not surprising that the Kyoto Protocol negotiations were among the most difficult and complex ever conducted for a multilateral environmental agreement." - Comment upon this statement with specific reference to commission and implementation of the Kyoto Protocol.

5. (a) Analyse the variability of monsoon seasons in India with reference to onset, withdrawal, rainfall distribution.

Or

- (b) Examine the main synoptic pressure systems causing weather over India in different seasons.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following.

- (a) Carbon Sink.
- (b) Alternate energy.
- (c) IPCC.
- (d) Micro Climate Effects
- (e) Protection of Ozone Layer
- (f) *El Nino Effect.*

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ML 292

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Fourth Semester

BRANCH VI – CRIMINAL LAW AND CRIMINAL JUSTICE
ADMINISTRATION

COURSE : MEDICAL JURISPRUDENCE AND FORENSIC SCIENCE	CODE :	CLA212O06/ CLA213O06/ CLA214O06
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Bring out the various principles of Forensic science. Substantiate the principles of Forensic science with a case study.

Or

- (b) Explain the vital role played by the expert witness in the court of law and bring out the law of Forensic science in relation to expert witness.

2. (a) Bring out the duty of investigating officer arriving for crime investigation at the scene of crime.

Or

- (b) Describe the role of Forensic psychologists in criminal investigation, crime analysis and as expert witness.

[P.T.O.]

3. (a) Discuss the data on which the approximate time since death may be determined in medico legal cases and mention the factors that influence such estimation.

Or

- (b) State and explain the injuries caused by Asphyxia with special reference to Hanging?

4. (a) Bring out the pivotal role of cyber forensic science in the resolution of a cyber crime.

Or

- (b) State and explain the injuries caused by Mechanical violence. Distinguishing Ante Mortem and Post Mortem wounds.

5. (a) Bring out the individuality features of Finger prints. Bring out the various development techniques to study Finger prints.

Or

- (b) Discuss the methods to solve the problem of Disputed Paternity with the help of DNA profiling.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following:

- (a) Medical Jurisprudence
- (b) Investigation of Sexual offences
- (c) Toxicology
- (d) Skeletal Remains
- (e) Voice Analysis
- (f) Disputed Documents.

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ML 306

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Fourth Semester

**BRANCH VI – CRIMINAL LAW AND CRIMINAL JUSTICE
ADMINISTRATION**

COURSE : PRIVILEGED CLASS DEVIANCE (ELECTIVE)	CODE :	CLA212E02/ CLA213E02/ CLA214E02
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Critically analyse the deviance on electoral process in India.
Or
(b) Examine the types of official deviance and the criminal justice mechanism designed in India to deal them.
2. (a) Critically examine the significance of various commissions constituted to probe official deviances and the real outcome of this mechanism in India.
Or
(b) Examine the subtle criminality associated with the power of bureauacrats in India.
3. (a) Critically examine the causative factors for exhibition of brutal deviant behaviour by police.
Or
(b) In the light of the report of the national police commission suggest measures to prevent deviant behaviours by police.

[P.T.O.]

4. (a) Discuss the ethical values required on the part of teaching professionals and the incidence of misconducts reported in India.

Or

- (b) Examine the professional deviance indulged by members of medical practice and the control exercised on them by the Indian Medical Council.

5. (a) Bring out the lacunae in the Prevention of Corruption Act, 1988 to suggest needed legal reforms.

Or

- (b) The annual Corruption Perceptions Index (CPI) released by the graft watchdog. Transparency International India (TII) ranks India as 85th among 175 countries. Suggest constructive changes in the laws currently in force and the need for change in the approach of Judiciary in dealing such deviancies.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) White collar crime.
- (b) Trade Union deviance.
- (c) Discretion and corruption.
- (d) Plea of Superior Orders.
- (e) Unethical Journalism.
- (f) Vigilance commission.

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ML 293

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Fourth Semester

BRANCH VII — HUMAN RIGHTS AND DUTIES EDUCATION

COURSE – WOMEN AND THE LAW	CODE :	HDE212O06/ HDE213O06/ HDE214O06
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Enumerate the constitutional provisions drafted to promote gender justice with the help of decided cases.
Or
(b) Explain the relevant provisions related to women under the Industrial laws and Maternity Benefit Act in India.
2. (a) Define Dowry and discuss the provisions of the Dowry Prohibition Act 1986 with regard to its penalty.
Or
(b) Enumerate the offences related to women under the Indian Penal Code.
3. (a) Explain how pervasive technology has invaded into the right of privacy.
Or
(b) Explain amniocentesis and discuss the salient features of the Pre-natal Diagnostic Technique Act.

[P.T.O.]

4. (a) Explain the legal and judicial reforms towards empowerment of women.

Or

- (b) Discuss the role played by Non-Governmental Organisations in India towards women welfare.

5. (a) Examine the role of the State Commission for women in protecting the interest of women.

Or

- (b) Discuss the scheme of National policy on Women Empowerment, 2001 and examine how far the goal has been achieved.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Womens Estate and Shridhana
 - (b) Rights of tribal women
 - (c) Nirbhaya law
 - (d) Domestic violence
 - (e) Assisted reproductive technology
 - (f) Justice Verma Committee Report.
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ML 294

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted from 2012 to 2014)

Second Year – Fourth Semester

BRANCH VIII — LABOUR LAW AND ADMINISTRATIVE LAW

COURSE – LAW RELATING TO CIVIL SERVANTS	CODE :	LAL212006/ LAL213006/ LAL214006
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) Examine the constitutional provisions connected with Civil Servants.

Or

- (b) Evaluate the doctrine of opportunity of being heard and its exception.

2. (a) Examine the various kinds of leave and conditions of eligibility to take various leaves.

Or

- (b) Analyse conditions of service in respect of private and public sectors.

3. (a) Examine the role of State Public Service commission in matters connected with recruitment.

Or

- (b) Analyse the role of union public service commission in matters connected with recruitment.

[P.T.O.]

4. (a) Analyse Indian legal service, its condition and promotions.

Or

- (b) Examine the appointments, service condition and promotion of subordinate judicial officers.

5. (a) Examine the various departmental remedies available to the civil servants.

Or

- (b) Examine the judicial review of service matters.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Compulsory insurance.
 - (b) Dearness allowances and bonus.
 - (c) All India services.
 - (d) Administrative tribunal.
 - (e) Maternity benefits.
 - (f) Doctrine of pleasure.
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ML 307

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For the candidates admitted during 2012, 2013 and 2014)

Second Year – Fourth Semester

BRANCH VIII — LABOUR LAW AND ADMINISTRATIVE LAW

COURSE : JUDICIAL CONTROL OVER ADMINISTRATIVE PROCESS	CODE :	LAL212E02/ LAL213E02/ LAL214E02
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Time : Three hours

Maximum : 60 marks

PART A — (5 × 8 = 40 marks)

Answer ALL the questions.

All questions carry equal marks.

1. (a) "The object and scope of judicial review of administrative action is different from that of appeal" – Discuss.

Or

- (b) Examine the role of judicial review as a means of realising a living Constitution in U.S.

2. (a) "Article 136 of the Constitution of India neither confers on any one the right to invoke the jurisdiction of the Supreme Court nor inhibits any one from invoking the court's jurisdiction" – Discuss.

Or

- (b) "The right to judicial review in Britain in merely a practical aspect of the rule of law" – Discuss.

3. (a) "It is not permissible to use a sledge-hammer to crack a nut or that where paring knife suffices, battle axe is precluded" – Examine this statement with regard to doctrine of proportionality as one of the grounds of judicial review.

Or

- (b) Discuss how French administrative courts have succeeded in imposing judicial control upon the Executive.

[P.T.O.]

4. (a) Examine the conditions under which Writ of Certiorari can be issued.

Or

- (b) Examine the nature and ambit of Writ jurisdiction under Article 226 of the Constitution of India.

5. (a) "The core of natural justice is fairness on the part of decision-making authority" – Discuss the statement with regard to the extent and application of principles of natural justice in administrative actions.

Or

- (b) The most vexed question in administrative law is locus standi – Comment.

PART B — (4 × 5 = 20 marks)

6. Write short notes on FOUR of the following :

- (a) Doctrine of necessity
 - (b) Estoppel
 - (c) L. Chandra Kumar V. Union of India
 - (d) Res Judicata in administrative decisions
 - (e) Laches or delay
 - (f) Article 227.
-

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ML 309

M.L. DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(Choice Based Credit System)

(For candidates admitted from 2012 to 2014)

Second Year – Fourth Semester

COURSE : SOFT SKILLS – IV (Common to all Branches)	CODE :	COM212S04/ COM213S04/ COM214S04
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Time : Three hours

Maximum : 100 marks

Answer FORTY questions.

(40 × 2½ = 100 marks)

Each question carries 2½ marks.

1. Trace the evolution of the lawyer's profession.
2. What are the responsibilities of lawyers?
3. What are advocacy skills?
4. Can negotiating and drafting be construed as legal advice?
5. Give some suggestions for improving the standard of legal education in India.
6. Who are prosecutors?
7. How to earn the right to practice law?
8. Discuss the role of professional associations for lawyers in India.
9. What is the position of lawyers in communist countries like China?
10. What are the common complaints against lawyers?
11. What role do lawyers play in the justice system?
12. Should lawyers dabble in public service? Why?

[P.T.O.]

13. What skills are required to manage meetings?
14. Why should rules be framed for meetings?
15. Explain the role of leader or facilitator of the meeting.
16. Discuss the process of decision making and consensus building in meetings.
17. What communication skills come to the fore in meetings.
18. State the difference between objective and subjective conflict.
19. How can relationship conflicts hampers team planning and work.
20. In closing meetings what should be ensured?
21. Approximately how many photocopies of the agenda should be taken for a meeting.
22. How to manage time schedules in meetings?
23. What motivates people?
24. "A good leader makes the team part of planning and problem solving process" – Discuss.
25. Explain Value – Based self – governance.
26. "Empathy wins people" – Discuss.
27. What are the two types of counselling?
28. Analyse the drawbacks of performance appraisal.
29. Why is it important to set goals?
30. What are the benefits of team motivated projected?
31. Define Transactional analysis.
32. Examine the role of transactional analysis in interpersonal interactions.
33. What are 'Crossed transactions'?
34. Why do people resort to 'Distortion of reality'?
35. How to structure time?

36. Explain rituals.
 37. Examine the quantitative variables in games.
 38. What makes a report good?
 39. Why are reports written?
 40. Why knowing the audience before writing reports assumes significance?
 41. Discuss a field workers routine reports.
 42. Who can monitor the process of a project and how?
 43. Explain the importance of good communication skills for writing reports.
 44. In academic writings why sticking to formal writing is stressed?
 45. Explain the importance of conclusion and recommendation in projects.
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